

## **AGENDA**

### **Plans and Programs Policy Committee**

**September 19, 2007, 1:00 p.m.**

**SANBAG Offices**  
**1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Fl.**  
**San Bernardino, CA 92410**

#### **Plans and Programs Committee Membership**

##### **Chair**

*Mark Nuaimi, Mayor*  
*City of Fontana*

##### **Vice Chair**

*Paul Eaton, Mayor*  
*City of Montclair*

##### **East Valley Representatives**

*Bea Cortes, Council Member*  
*City of Grand Terrace*

##### **Mountain/Desert Representatives**

*Kevin Cole, Mayor*  
*Twentynine Palms*

*Richard Riddell, Mayor*  
*City of Yucaipa*

*Rick Roelle, Mayor*  
*Town of Apple Valley*

*Larry McCallon, Council Member*  
*City of Highland*

*Chad Mayes, Council Member*  
*Town of Yucca Valley*

**West Valley Representatives**  
*Diane Williams, Mayor Pro Tem*  
*Rancho Cucamonga*

**San Bernardino County**  
*Brad Mitzelfelt, Supervisor*

*Paul Biane, Supervisor*

*Dennis Hansberger, Supervisor*

*Josie Gonzalez, Supervisor*

*Gary Ovitt, Supervisor*

*San Bernardino Associated Governments (SANBAG) is a council of governments formed in 1973 by joint powers agreement of the cities and the County of San Bernardino. SANBAG is governed by a Board of Directors consisting of a mayor or designated council member from each of the twenty-four cities in San Bernardino County and the five members of the San Bernardino County Board of Supervisors.*

*In addition to SANBAG, the composition of the SANBAG Board of Directors also serves as the governing board for several separate legal entities listed below:*

*The San Bernardino County Transportation Commission, which is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital development projects for public transit and highway projects, and determination of staging and scheduling of construction relative to all transportation improvement projects in the Transportation Improvement Program.*

*The San Bernardino County Transportation Authority, which is responsible for administration of the voter-approved half-cent transportation transactions and use tax levied in the County of San Bernardino.*

*The Service Authority for Freeway Emergencies, which is responsible for the administration and operation of a motorist aid system of call boxes on State freeways and highways within San Bernardino County.*

*The Congestion Management Agency, which analyzes the performance level of the regional transportation system in a manner which ensures consideration of the impacts from new development and promotes air quality through implementation of strategies in the adopted air quality plans.*

*As a Subregional Planning Agency, SANBAG represents the San Bernardino County subregion and assists the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SANBAG performs studies and develops consensus relative to regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.*

*Items which appear on the monthly Board of Directors agenda are subjects of one or more of the listed legal authorities. For ease of understanding and timeliness, the agenda items for all of these entities are consolidated on one agenda. Documents contained in the agenda package are clearly marked with the appropriate legal entity.*

San Bernardino Associated Governments  
County Transportation Commission  
County Transportation Authority  
Service Authority for Freeway Emergencies  
County Congestion Management Agency

**Plans and Programs Policy Committee**  
**September 19, 2007**  
**1:00 p.m.**

**LOCATION:**  
**San Bernardino Associated Governments**  
**1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino**  
***The Super Chief***

**CALL TO ORDER - 1:00 p.m.**  
***(Meeting chaired by Mayor Mark Nuaimi)***

- I. Attendance
- II. Announcements
- III. Agenda Notices/Modifications

**1. Possible Conflict of Interest Issues for the SANBAG Plans and Programs Meeting of September 19, 2007 Pg. 5**

Note agenda item contractors, subcontractors and agents which may require member abstentions due to conflict of interest and financial interests. Member abstentions shall be stated and recorded on the appropriate item in the minute summary for each month.

**Consent Calendar**

Consent Calendar items shall be adopted by a single vote unless removed by Board member request. Items pulled from the consent calendar will be brought up at the end of the agenda.

**2. Plans and Programs Attendance Roster Pg. 6**

A quorum shall consist of a majority of the membership of each SANBAG Policy Committee, except that all County Representatives shall be counted as one for the purpose of establishing a quorum.

***Notes/Action***

## **Discussion Calendar**

### **Subregional Transportation Planning & Programming Programs**

3. **Continuing Development of the Measure I Strategic Plan Procedural Framework for Administration of the Valley Major Streets and Valley Freeway Interchange Programs** Pg. 8
  - 1) Approve use of the Valley Major Projects Committee in October to consider the proposed framework for the administration of the Valley Major Streets and Valley Freeway Interchange Programs.
  - 2) Report back to the Plans and Programs Committee with the recommendations of the Valley Major Projects Committee on administration of the Valley Major Streets and Valley Freeway Interchange Programs, and with the recommendations of the Mountain/Desert Committee on policy issues associated with the Mountain/Desert Major Local Highways Programs. **Ty Schuiling**
4. **Biennial Update of the Development Mitigation Nexus Study** Pg. 10

Receive Information on the Biennial Update of the Development Mitigation Nexus Study. **Ryan Graham**
5. **Addition of New Projects to the SANBAG Development Mitigation Nexus Study** Pg. 26
  - 1) Approve the addition of the Vineyard Ave. / I-10 Interchange in Ontario and any other interchanges proposed by local jurisdictions to the 2007 update of the SANBAG Development Mitigation Nexus Study
  - 2) Direct staff to modify Appendix J of the Congestion Management Program (CMP) to allow local jurisdictions the flexibility of adding and subtracting projects from the Nexus Study project list so long as it does not result in the net increase in project cost, as adjusted for inflation, for the development mitigation program.
  - 3) Direct staff to modify Appendix J of the CMP to require jurisdictions wishing to substitute projects in future Nexus Study updates to demonstrate that the substituted projects are of the same or lesser cost than the projects removed. **Ryan Graham**

**Subregional Transportation Planning & Programming Programs Cont...****6. City of Highland Measure I 2010-2040 Project Advancement Agreement Pg. 30**

Approve Measure I 2010-2040 Project Advancement Cooperative Agreement C08016 with the City of Highland for the Greenspot Road Improvement Project between SR-30 and Boulder Avenue.  
Ty Schuiling

**Transportation Program & Fund Administration Program****7. Quarterly Administrative Report on SANBAG Federal Funding Programs Pg. 41**

- 1) Receive report on quarterly reporting and obligation status.
- 2) Adopt a finding of compliance with obligation requirements for all affected agencies. Ty Schuiling

**Transit/Commuter Rail Program****8. Public Transit-Human Services Transportation Coordination Plan for San Bernardino County Pg. 47**

Receive Information and Provide Direction. Mike Bair

**Public Comments**

Items under this heading will be referred to staff for further study, research, completion and/or future actions.

9. Additional Items from Committee Members
10. Brief Comments by General Public
11. Acronym List

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**ADJOURNMENT**

Complete packages of this agenda are available for public review at the SANBAG offices. Staff reports for items may be made available upon request. For additional information call (909) 884-8276 and ask for Joanne Cook.

The next Plans and Programs Meeting  
is October 17, 2007.

## Meeting Procedures and Rules of Conduct

### **Meeting Procedures**

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

### **Accessibility**

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino, CA.

**Agendas** – All agendas are posted at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed at the SANBAG offices located at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino and our website: [www.sanbag.ca.gov](http://www.sanbag.ca.gov).

**Agenda Actions** – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

**Closed Session Agenda Items** – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

**Public Testimony on an Item** – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

**Agenda Times** – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

**Public Comment** – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. "Public Testimony on any Item" still apply.*

**Disruptive Conduct** – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

## *Minute Action*

AGENDA ITEM:   1  

**Date:** September 19, 2007

**Subject:** Information Relative to Possible Conflict of Interest

**Recommendation\*:** Note agenda items and contractors/subcontractors which may require member abstentions due to possible conflicts of interest.

**Background:** In accordance with California Government Code 84308, members of the Board of Directors may not participate in any action concerning a contract where they have received a campaign contribution of more than \$250 in the prior twelve months from an entity or individual. This agenda contains recommendations for action relative to the following contractors:

Item No.	Contract No.	Contractor/Agents	Subcontractors
N/A	N/A	N/A	N/A

**Financial Impact:** This item has no direct impact on the 2007/2008 Budget.

**Reviewed By:** This item is prepared monthly for review by the Board of Directors and policy committee members.

**Responsibility Staff:** Ty Schuiling, Director of Planning and Programming

*Approved*  
*Plans and Programs Committee*

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

*Witnessed:* \_\_\_\_\_

# AGENDA ITEM: 2

## PLANS AND PROGRAMS POLICY COMMITTEE ATTENDANCE - 2006

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Richard Riddell	X	X	X	X	X	X	X	Cancelled	X	X	X	X
Bea Cortes								Cancelled	X		X	X
Larry McCallon				X	X		X	Cancelled	X	X		X
Paul Eaton Chair	X		X	X	X	X	X	Cancelled	X	X	X	X
Mark Nsaimi	X		X					Cancelled	X	X	X	X
Diane Williams	X	X	X	X	X	X	X	Cancelled	X	X	X	X
Kevin Cole	X	X	X	X	X		X	Cancelled	X	X	X	X
Paul Cook	X	X	X		X			Cancelled	X	X		
Jim Lindley	X	X	X	X	X	X	X	Cancelled		X	X	
Gary Oritt	X	X		X				Cancelled	X			
Josie Gonzales	X	X	X		X		X	Cancelled	X	X		X
Dennis Hansberger	X		X	X			X	Cancelled	X	X	X	X
Paul Biane	X	X	X	X			X	Cancelled		X	X	
Bill Postmus		X	X	X	X			Cancelled	X	X		

X - indicates member attended the meeting.

Crossed out box indicates member was not on the committee as of that month.

Empty box indicates committee members did not attend the meeting in that month.

**AGENDA ITEM: 2**

**PLANS & PROGRAMS POLICY COMMITTEE ATTENDANCE RECORD - 2007**

<b>Name</b>	<b>Jan</b>	<b>Feb</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>
<b>Richard Riddell</b> City of Yucaipa	X			X	Cancelled	X	Cancelled	X				
<b>Bea Cortes</b> City of Grand Terrace	X	X	X	X	Cancelled		Cancelled	X				
<b>Larry McCallon</b> City of Highland	X	X	X	X	Cancelled		Cancelled	X				
<b>Paul Eaton Chair</b> City of Montclair		X	X	X	Cancelled	X	Cancelled	X				
<b>Mark Nuaimi</b> City of Fontana	X	X	X	X	Cancelled	X	Cancelled	X				
<b>Diane Williams</b> City of Rancho Cucamonga	X	X	X	X	Cancelled	X	Cancelled	X				
<b>Kevin Cole</b> City of Twentynine Palms	X			X	Cancelled	X	Cancelled					
<b>Rick Roelle</b> Town of Apple Valley	X	X	X	X	Cancelled		Cancelled					
<b>Chad Mayes</b> Town of Yucca Valley		X	X	X	Cancelled		Cancelled	X				
<b>Gary Ovitt</b> Board of Supervisors	X		X	X	Cancelled		Cancelled	X				
<b>Josie Gonzales</b> Board of Supervisors	X			X	Cancelled	X	Cancelled	X				
<b>Dennis Hansberger</b> Board of Supervisors	X			X	Cancelled	X	Cancelled	X				
<b>Paul Biane</b> Board of Supervisors	X		X	X	Cancelled	X	Cancelled	X				
<b>Brad Mitzelfelt</b> Board of Supervisors	X		X		Cancelled	X	Cancelled					

X = Member attended meeting. \* = Alternate member attended meeting. Empty box = Member did not attend meeting. Crossed out box = Not a member at the time.  
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## *Minute Action*

AGENDA ITEM: 3

**Date:** September 19, 2007

**Subject:** Continuing Development of the Measure I Strategic Plan Procedural Framework for Administration of the Valley Major Streets and Valley Freeway Interchange Programs

**Recommendation:\*** 1) Approve use of the Valley Major Projects Committee in October to consider the proposed framework for the administration of the Valley Major Streets and Valley Freeway Interchange Programs.

2) Report back to the Plans and Programs Committee with the recommendations of the Valley Major Projects Committee on administration of the Valley Major Streets and Valley Freeway Interchange Programs, and with the recommendations of the Mountain/Desert Committee on policy issues associated with the Mountain/Desert Major Local Highways Programs.

**Background:** Workshops to discuss the administration of the Valley Major Streets and Valley Freeway Interchange Programs and Mountain/Desert Major Local Highways Programs were scheduled on August 1 and August 15, 2007. These were not conclusive. Although the Plans and Programs Policy Committee has provided policy oversight to development of the Measure I 2010-2040 Strategic Plan, issues associated with the Mountain/Desert Major Local Highways Programs are also subject to detailed discussion and direction from the Mountain/Desert Committee. In this item, staff suggests use of the Valley Major Projects Committee, a fully representative committee specific to the Valley jurisdictions, as an appropriate venue for more detailed consideration of staff's recommended approach to administration of the Valley Major Streets and Valley Freeway

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*Approved*  
*Plans and Programs Policy Committee*

*Date:* \_\_\_\_\_

*Moved:*

*Second:*

*In Favor:*

*Opposed:*

*Abstained:*

*Witnessed:* \_\_\_\_\_

Interchange Programs. Outcomes of these discussions in both the Mountain/Desert and Valley areas would be reported back to the Plans and Programs Committee prior to any action by the full SANBAG Board of Directors.

***Financial Impact:*** This item is consistent with the approved Fiscal Year 2007-2008 SANBAG Budget.

***Reviewed By:*** This item will be reviewed by the Plans and Programs Policy Committee on September 19, 2007.

***Responsible Staff:*** Ty Schuiling, Director of Planning and Programming

## *Minute Action*

AGENDA ITEM: 4

**Date:** September 19, 2007

**Subject:** Biennial Update of the Development Mitigation Nexus Study

**Recommendation:\*** Receive Information on the Biennial Update of the Development Mitigation Nexus Study.

**Background:** One of the requirements of the SANBAG Development Mitigation Program is a biennial update of the Development Mitigation Nexus Study (Appendix K of the Congestion Management Program). The biennial update, conducted in odd-numbered years, provides an opportunity for local jurisdictions to modify projects in the Nexus Study, revise project costs, revise project limits, or otherwise update project descriptions. The full Congestion Management Program (CMP) is also updated in odd-numbered years, including any modification of the implementation language for the Development Mitigation Program contained in Appendix J of the CMP. This item provides information on activities associated with the biennial Development Mitigation Program update and is intended to serve as the opportunity to provide staff with policy-level feedback prior to submitting materials for the full biennial update of the Congestion Management Program, including Appendices K and J, in October.

The Development Mitigation Program update has been underway since April 2007. Staff discussed the Development Mitigation Program update with the Comprehensive Transportation Plan Technical Advisory Committee (CTP TAC) at its April meeting and distributed a formal request for information to City

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*Approved  
Plans and Programs Committee*

*Date:* \_\_\_\_\_

*Moved:*

*Second:*

*In Favor:*

*Opposed:*

*Abstained:*

*Witnessed:* \_\_\_\_\_

Managers on April 16, 2007. Subsequently, the same materials were distributed electronically to the CTP TAC on April 25, 2007. In the correspondence to both the City Managers and the CTP TAC, jurisdictions were asked to update arterial and interchange project costs, provide SANBAG with a timeline for completing future updates to local jurisdiction fee plans and to provide comments on the proposed changes to Appendix J of the CMP. Staff asked that jurisdictions provide the requested information to SANBAG no later than June 15, 2007. Given that several jurisdictions needed additional time to provide revised cost estimates and to complete the review of the proposed updates to Appendix J, staff extended the opportunity for local jurisdictions to submit materials to September 4, 2007.

Included as Attachment 1 to this agenda item are the draft revisions of Tables 7 and 8 to the Nexus Study based on input received to date from local jurisdictions. The tables provide local jurisdiction development mitigation requirements for arterial, interchange and grade separation projects listed in the Nexus Study. Table 7 provides the information for each incorporated jurisdiction in the San Bernardino and Victor Valleys, and Table 8 provides the development mitigation information for the unincorporated spheres of influence for each San Bernardino and Victor Valley jurisdiction. Almost universally, jurisdictions elected to incorporate the 12.7% cost escalation factor approved by the SANBAG Board in March 2007. In that action, local jurisdictions were also provided the opportunity to update project costs based on engineering estimates or another technically defensible planning-level study. The cities of Chino and Fontana selected to update project costs using this method. Jurisdictions that did not respond to the request for information on revised project costs during the Nexus Study update were assumed to use the 12.7% cost escalation factor approved by the Board.

During discussions on the Nexus Study update that occurred with the CTP TAC in April 2007, local jurisdiction staff expressed the desire for flexibility in the timeline for updating local development impact fee programs in response to updates of the SANBAG Nexus Study. Consequently, staff agreed to incorporate this recommendation into the Nexus Study update. As part of the request for information, local jurisdictions were asked to select an update cycle for the regional transportation portion of their development impact fee programs. Two options were provide—the beginning of the fiscal year or the beginning of the calendar year. Attachment 2 to this agenda item includes the selected local development mitigation program update timeline by jurisdiction. Adelanto, Grand Terrace, Hesperia and Rialto did not respond to SANBAG with their Development Mitigation Program Update timeline form, and the jurisdictions

were assumed to update their local development mitigation programs on a fiscal year basis.

Attachment 3 shows the proposed revisions to Appendix J of the CMP. The proposed revisions are shown in strikeout format, so that the changes are easily identifiable. Most of the proposed revisions to Appendix J are editorial or involve the relocation of previously existing paragraphs in the document for readability purposes, but several new passages and/or modified passages have more substantial changes that staff would like to highlight. These include:

- On page 3, the revised language in column 2 states that local jurisdictions may not include the cost of curb, gutter, sidewalk and curb lanes along undeveloped frontage of arterial roadways because these are costs that development would have otherwise been responsible for. Arterial roadways with frontages that have already been developed may continue to include the costs of curb, gutter, sidewalk and curb lanes in the project cost estimates. The intent of this new language is to avoid assigning costs to Measure I 2010-2040 that would otherwise have been incurred by developers as conditions of approval from local jurisdictions.
- On page 3, approximately half-way down the second column, a new paragraph has been added to specify requirements for the net addition of projects during updates to the Nexus Study. The added language provides a “make-up” provision that would calculate development’s fair share contribution as if it was included from the inception of the Nexus Study in 2005. This point is discussed with more detail in a separate agenda item, but the purpose of the passage is to ensure that development pays its full contribution to the same extent as would have been required if the project was included in the program from the beginning.
- On page 4, text in the first column includes greater specificity on the timeframe for growth estimates used to calculate development mitigation fair share percentages. Year 2004 will continue to serve as the Nexus Study baseline year and year 2030 will continue to serve as the horizon year for purposes of calculating minimum fair share percentages. Growth forecasts should be logically related to the Regional Transportation Plan growth forecasts and may be updated following RTP approvals. The Nexus Study was established to define local jurisdiction mitigation requirements for a generally fixed set of projects over a fixed timeline. Modifications to the project list and to growth projections are being permitted so that the most current data can be used as a basis for local

jurisdiction fee programs, but this is meant to be fine-tuning, not wholesale revision of the program. A major revision to the project list or an extension of the program beyond 2030 would need to be structured as a new overlay to the current program, as explained in Appendix J.

- On page 5, second column, language was included on the development mitigation program update timelines for local jurisdictions, per the description earlier in this item. The language provides a local jurisdiction the option of updating their local development mitigation program on either a calendar year or a fiscal year basis. Local jurisdictions will have the opportunity to adjust their fee program update timelines during future biennial updates of the Nexus Study should they desire to do so. SANBAG staff needs a firm date by which conformance to the CMP is required for each jurisdiction so that the state-mandated annual conformity determination can be made.
- On page 5, second column, last paragraph, language was added to require that completed projects from the Nexus Study arterial and interchange project lists continue to be included in the Nexus Study following construction and to escalate the final cost of the project each year based on the cost escalation factor approved by the Board. The added language ensures that all development that occurs between 2004 and 2030 and benefits from a Nexus Study project pays for its fair share of the project cost.

**Financial Impact:** This item is consistent with the adopted FY 2007-2008 budget. TN 20308005. The development mitigation program is an essential element of the funding estimates contained in the Expenditure Plan for Measure I 2010-2040.

**Reviewed By:** This item will be reviewed by the Plans and Programs Policy Committee on September 19, 2007.

**Responsible Staff:** Ryan Graham, Transportation Planning Specialist  
Steve Smith, Chief of Planning

## Attachment 1

**Rev. Table 7. Summary of Fair Share Costs for Arterial, Interchange, and RR Grade Crossing Projects  
For Cities (through year 2030)  
Includes 12.7%\* Cost Escalation for Calendar Year 2006**

City	Ratio of Type Crossing to Total Highways	2006 Total Cost (\$Mill)	2006 Develop Share of Interchange Cost (\$Mill)	2006 Develop Share of Grade Crossing Cost (\$Mill)	2006 Total Cost (\$Mill)	2006 Develop Share of Interchange Cost (\$Mill)	2006 Develop Share of Grade Crossing Cost (\$Mill)	2006 Total Cost (\$Mill)	2006 Develop Share of Interchange Cost (\$Mill)	2006 Develop Share of Grade Crossing Cost (\$Mill)	2006 Total Cost (\$Mill)
Adelanto	81%	\$100.96	\$81.88	\$7.77	\$89.65	\$113.78	\$92.28	\$8.75	\$0.00	\$0.00	\$101.03
Apple Valley	55%	\$158.50	\$87.24	\$25.97	\$113.21	\$178.63	\$98.32	\$29.28	\$0.00	\$0.00	\$127.60
Chino	51%	\$103.74	\$52.72	\$24.32	\$77.04	\$121.68	\$61.83	\$27.58	\$0.00	\$0.00	\$89.41
Chino Hills	14%	\$23.45	\$3.21	\$0.00	\$3.21	\$26.42	\$3.62	\$0.00	\$0.00	\$0.00	\$3.62
Colton	44%	\$41.41	\$18.04	\$13.92	\$41.69	\$46.67	\$20.33	\$15.71	\$11.02	\$0.00	\$47.06
Fontana	32%	\$263.57	\$84.65	\$58.53	\$145.79	\$294.68	\$94.64	\$67.81	\$2.94	\$0.00	\$165.39
Grand Terrace	40%	\$21.32	\$8.51	\$0.00	\$12.19	\$24.03	\$9.60	\$0.00	\$4.14	\$0.00	\$13.74
Hesperia	59%	\$161.05	\$94.90	\$49.92	\$152.19	\$181.50	\$106.96	\$56.26	\$8.43	\$0.00	\$171.65
Highland	46%	\$108.59	\$50.40	\$16.04	\$66.44	\$122.38	\$56.80	\$18.07	\$0.00	\$0.00	\$74.87
Loma Linda	39%	\$61.43	\$23.85	\$26.92	\$53.99	\$69.23	\$26.88	\$26.72	\$3.62	\$0.00	\$57.23
Montclair	19%	\$6.80	\$1.29	\$4.65	\$7.56	\$7.66	\$1.45	\$5.25	\$1.85	\$0.00	\$8.55
Ontario	44%	\$203.50	\$90.32	\$58.10	\$168.89	\$229.34	\$101.79	\$66.31	\$30.04	\$0.00	\$198.14
Rancho Cuc.	29%	\$67.78	\$19.45	\$22.52	\$44.29	\$76.39	\$21.92	\$25.60	\$2.61	\$0.00	\$50.13
Redlands	23%	\$65.73	\$15.19	\$9.61	\$24.95	\$74.08	\$17.12	\$10.86	\$0.17	\$0.00	\$28.15
Rialto	40%	\$76.67	\$31.03	\$14.93	\$45.96	\$86.41	\$34.97	\$16.13	\$0.00	\$0.00	\$51.10
San Bernardino	32%	\$106.91	\$34.62	\$52.72	\$96.50	\$120.49	\$39.02	\$55.93	\$10.41	\$0.00	\$105.36
Upland	48%	\$22.83	\$11.02	\$2.26	\$13.28	\$25.73	\$12.42	\$2.61	\$0.00	\$0.00	\$15.03
Victorville	49%	\$93.63	\$45.91	\$51.76	\$97.67	\$105.52	\$51.74	\$58.39	\$0.00	\$0.00	\$110.13
Yucaipa	31%	\$99.67	\$30.80	\$20.71	\$51.51	\$112.33	\$34.71	\$23.34	\$0.00	\$0.00	\$58.05

\* Only the Cities of Chino and Fontana provided cost estimates that differed from the 12.7% cost escalation.

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## Attachment 2

### *Development Mitigation Program Update Timeline*

Jurisdiction	Update Timeline	
	30-Jun	31-Dec
Adelanto	*	
Apple Valley		X
Chino		X
Chino Hills		X
Colton	X	
Fontana		X
Grand Terrace	*	
Hesperia	*	
Highland		X
Loma Linda		X
Montclair		X
Ontario		X
Rancho Cucamonga	X	
Redlands	X	
Rialto	*	
San Bernardino	X	
San Bernardino County	X	
Upland		X
Victorville		X
Yucaipa		X

\*Jurisdictions that did not respond to the request for a development mitigation program update timeline.  
These jurisdictions are assumed to update their fees on a fiscal year basis.

## APPENDIX J

### REQUIREMENTS FOR THE LAND USE/TRANSPORTATION ANALYSIS PROGRAM FOR LOCAL JURISDICTIONS IN THE SAN BERNARDINO VALLEY AND VICTOR VALLEY AREAS

#### J.1. Background

Section VIII of the Measure I 2010-2040 Ordinance (approved by the voters of San Bernardino County on November 2, 2004) states:

*“SECTION VIII. CONTRIBUTIONS FROM NEW DEVELOPMENT. No revenue generated from the tax shall be used to replace the fair share contributions required from new development. Each local jurisdiction identified in the Development Mitigation Program must adopt a development financing mechanism within 24 months of voter approval of the Measure ‘I’ that would:*

*“1) Require all future development to pay its fair share for needed transportation facilities as a result of the development, pursuant to California Government Code 66000 et seq. and as determined by the Congestion Management Agency.*

*“2) Comply with the Land Use/Transportation Analysis and Deficiency Plan provisions of the Congestion Management Program pursuant to California Government Code Section 65089.*

*“The Congestion Management Agency shall require fair share mitigation for regional transportation facilities through a Congestion Management Program update to be approved within 12 months of voter approval of Measure ‘I’.”*

The above requirements apply to the San Bernardino Valley and Victor Valley cities<sup>1</sup> and unincorporated spheres of influence associated with those cities. Local jurisdictions in these areas must implement development mitigation programs that achieve development contribution requirements established by the SANBAG Development Mitigation Nexus Study (Nexus Study). The development contribution requirements are established by the Nexus Study for regional transportation improvements, including freeway interchanges, railroad grade separations, and regional arterial highways on the Nexus Study network.

Implementation of a development mitigation program is required of each local jurisdiction in the Valley and Victor Valley to maintain conformance with the SANBAG Land Use/Transportation Analysis Program of the CMP (see Chapter 4). The provisions of Appendix J are a part of the CMP Land Use/Transportation Analysis Program. In addition, the CMP requires SANBAG to make an annual finding of local jurisdiction conformance to the provisions of the CMP. To support this finding, each jurisdiction must prepare a brief annual report demonstrating its continued compliance with the provisions of the CMP. The annual reporting requirements are discussed in Section J.8 of this appendix.

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<sup>1</sup> San Bernardino Valley cities include: Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa. Victor Valley cities include: Adelanto, Apple Valley, Hesperia, and Victorville.

The requirements contained in this appendix are in response to the provisions of Section VIII of the Measure I 2010-2040 Ordinance. The requirements are based on the Development Mitigation Principles adopted by the SANBAG Board of Directors in July 2004. These principles are referenced in Chapter 4 of the CMP. The requirements in this appendix describe the key procedures local jurisdictions must follow when ~~developing an approvable~~implementing and maintaining a compliant conforming fair share development mitigation program.

## **J.2. Preparation of the Development Mitigation Nexus Study**

SANBAG has prepared and shall periodically update a Development Mitigation Nexus Study to identify minimum fair share contributions from new development for regional transportation improvements (freeway interchanges, railroad grade separations, and regional arterial highways). The current version of the Nexus Study, which includes grade separation and major arterial projects submitted by local jurisdictions and interchange fair share cost percentages agreed to by local jurisdictions, is contained in Appendix K of this CMP. The Nexus Study will be updated periodically every odd year in close coordination with local jurisdictions. The updates will occur in conjunction with the biennial update to the CMP, and SANBAG will notify local jurisdictions prior to initiating the update. During the update process, local jurisdictions will be provided an opportunity to review and comment on the Nexus Study and to approve inclusion or exclusion of projects within their jurisdictions.

### **J.2.1 Nexus Study Project List**

The Nexus Study identifies a Nexus Study Network, representing regional roadways in the urbanized areas of San Bernardino County. This network is based on a generalized set of criteria including roadway functional classification, propensity to carry inter-jurisdictional traffic, and connection to

the freeway system. The Nexus Study Network may be modified as part of a Nexus Study update. SANBAG is responsible for determining the inclusion or exclusion of a proposed regional roadway on the network. Local jurisdictions are responsible for the inclusion or exclusion of projects on ~~that the~~ network.

Roadway improvement projects must be located on the Nexus Study network for their costs to be included in the Nexus Study. Projects must be located on the Nexus Study Network to be eligible to receive SANBAG Measure I 2010-2040 Valley Interchange and Major Street Funds (31% of Valley subarea expenditure plan funds) and Victor Valley Major Local Highway Projects Funds (25% of Victor Valley subarea expenditure plan funds) or SANBAG allocations of state or federal transportation funds included in the Measure I 2010-2040 Expenditure Plan. The SANBAG Board may establish additional eligibility requirements for projects included in the Nexus Study. Local jurisdictions may wish to identify other local or non-regional improvements as part of their overall development mitigation program, but these will not be included in the Nexus Study

The Nexus Study will identify specific improvement projects on the Nexus Study Network and include cost estimates for those projects. The initial cost estimates were provided by local jurisdictions using the most recent available data. Annually, project costs will be updated by the application of a cost escalation factor. The escalation of project costs is necessary to ensure that development mitigation escalate at the same rate as project costs. Jurisdictions will also have the opportunity to perform a more detailed review of project costs during Nexus Study updates. Updated project costs must be based on engineering estimates or another technically defensible planning-level study, including project study report, project report etc.). Local jurisdictions ~~would~~may be required to demonstrate to SANBAG that the estimates are

reasonable and provide an accurate basis for cost escalation.

Project costs may include costs associated with preliminary engineering, design, construction, construction management, project management, right-of-way, and mitigation of impacts or any other component of project development and delivery. Local jurisdictions must indicate the basis for their cost estimates and expend development contributions only on the types of cost items and phases of project development included in their cost estimates. For costs other than construction to be included in the Nexus Study project list, jurisdictions must specify costs for projects by phase and include the information in their local development mitigation program in addition to the Nexus Study. Roadway projects for which development mitigation dollars have been expended must remain in the local jurisdiction development mitigation program through year 2030 or the horizon year of the program (whichever is latest). This includes those projects for which construction has been completed.

Roadway improvement projects must be located on this network for their costs to be included in the Nexus Study. Projects must be located on the Nexus Study Network to be eligible to receive SANBAG Measure I 2010-2040 Valley Interchange and Major Street Funds (31% of Valley subarea expenditure plan funds) and Victor Valley Major Local Highway Projects Funds (25% of Victor Valley subarea expenditure plan funds) or SANBAG allocations of state or federal transportation funds included in the Measure I 2010-2040 Expenditure Plan. Local jurisdictions may wish to identify other local or non-regional improvements as part of their overall development mitigation program, but these will not be included in the Nexus Study.

The Nexus Study will identify specific improvement projects on the Nexus Study Network and include cost estimates for those projects. The cost estimates will be provided

by local jurisdictions using the most recently available data. Costs may include planning, project development (including Project Study Reports, Project Reports, and environmental documents), design, construction, construction management, project management, right-of-way, and mitigation of impacts.

Local jurisdictions must indicate the basis for their cost estimates and expend development contributions only on the types of cost items and projects included in their cost estimates. Preparation of a local jurisdiction nexus study or other analyses supporting their development mitigation program may be included in the jurisdiction's cost estimate, if the study or analysis is consistent with California Government Code 66000 et. seq. In the cost estimate for arterial projects, local jurisdictions must identify whether they may not include costs include of improvements such as sidewalk, curb and gutter and curb lanes along undeveloped frontages, for which developers would ordinarily be responsible. Such costs may be included when frontages are already developed.

If a new project is added to the project list following the initial adoption of the Nexus Study, the revised fair share development contribution will be calculated as if the project had been included at the inception of the development mitigation program. It is acceptable for local jurisdictions to substitute projects in the Nexus Study so long as the cost of the replacement project is of equal or lesser value. If a jurisdiction wishes to substitute a more expensive project for a less expensive project, the revised fair share percentage for the net increase to the development mitigation program will be calculated as if the project was included from the inception of the development mitigation program. Jurisdictions are subject to the provisions of state law regarding addition, deletion or substitution of projects.

### J.2.2 Socio Economic Data and Development Mitigation Fair Share Percentages

The SANBAG Nexus Study also includes an estimate of growth in dwelling units and employment expected over the planning period of the Nexus Study. These estimates will be prepared by local jurisdictions in conjunction with SANBAG and SCAG. Initially, it is expected that the planning period for growth estimates will remain 2004 to 2030, corresponding to the timeframe for the project lists. Supplemental nexus studies with new project lists and a new planning horizon with revised growth estimates will require authorization by the SANBAG Board and will be structured as an overlay of the existing 2004-2030 program. be consistent with the planning horizon for the SCAG Regional Transportation Plan (RTP). However, the planning period may change with Nexus Study updates and may vary from the horizon year of the RTP. The project costs and growth estimates may be modified to correspond to the selected planning period.

The Nexus Study will include an estimate of minimum fair share development contributions for regional transportation improvements based on the estimates of project costs and the growth data provided by local jurisdictions. The methodology employed to calculate fair shares is the same methodology used in the draft SANBAG Development Mitigation Nexus Study, as revised September 20042005. It is the goal of SANBAG to maintain and use the most accurate data available when calculating development fair share contributions. As such, the factors used in calculating development contribution targets may be updated to better reflect the most current data and studies on project costs, growth, and travel characteristics. Year 20045 will continue to serve as the Nexus Study baseline year and year 2030 will continue to serve as the horizon year for purposes of calculating minimum fair share percentages. Growth forecasts should be logically related to the Regional Transportation Plan growth forecasts and may be updated following RTP approvals.

The Nexus Study will calculate minimum fair share targets for each local jurisdiction and for the jurisdiction's sphere areaof influence. Fair share amounts for special districts or subareas may also be calculated based on the Nexus Study methodology if that information is provided to SANBAG by ~~the~~ a local jurisdiction. For SANBAG to calculate fair share contributions for sphere areas, special districts or subareas, the city or County must identify the specific geographic boundary of any special districts or subareas used as the basis for the calculation of fair shares, and the growth estimates must be consistent with the boundaries they have defined.

### **J.3. Qualifying Local Jurisdiction Development Mitigation Programs**

Each local jurisdiction in the San Bernardino Valley and Victor Valley shall prepare a development mitigation program that is projected to meet or exceed the fair share requirement for development contributions identified in the most current SANBAG-approved version of the Nexus Study. The program must meet or exceed the requirement for each individual program area (i.e. regional arterials, interchanges, and railroad grade separations) listed in the Nexus Study. The local jurisdiction has flexibility in designing a development mitigation program that achieves the level of contributions from new development consistent with that jurisdiction's total fair share requirement in the Nexus Study.

Types of development contributions may include a development impact fee (DIF) program, programs of road and bridge benefit districts, other special assessment districts, community facilities districts (CFDs), or other development contributions and funding consistent with the Measure I 2010-2040 ordinance and the SANBAG CMP. Each local jurisdiction must establish a clear definition of the sources of funds for inclusion in the development mitigation program.

Each local jurisdiction in the San Bernardino Valley and Victor Valley must ~~have~~maintain a qualifying development mitigation program, ~~in place and approved by the City Council (or Board of Supervisors) by as of~~ November, 2006. Local jurisdictions may maintain development mitigation programs for local (non-regional) transportation improvements. However, costs associated with non-regional improvements will not be included in the SANBAG Nexus Study and will not constitute part of SANBAG's fair share requirements. In evaluating a local jurisdiction's development mitigation program for compliance with CMP, SANBAG staff will exclude development contributions for transportation facilities not included on the Nexus Study Network.

~~Local jurisdictions may submit their ordinances, resolutions, fee schedules, project lists, growth estimates, and other data documenting their development mitigation program to SANBAG at any time following the adoption of the Nexus Study by the SANBAG Board of Directors. However, jurisdictions should submit these materials for preliminary review at least three months prior to final council/Board action in order to meet the November 2, 2006 deadline. SANBAG will review the material, and the SANBAG Executive Director will issue a letter of compliance with the provisions of the CMP or explain why the local jurisdiction's program is not yet compliant. If the program is not yet compliant, the jurisdiction shall have 90 days following receipt of the letter to provide the necessary documentation to SANBAG to demonstrate compliance. When the Nexus Study is updated, local jurisdictions shall have up to 180 days to modify their development mitigation programs following approval of the Nexus Study update by the SANBAG Board.~~

Local jurisdictions may update their development mitigation programs at any time. Any updates must maintain compliance with CMP requirements. SANBAG and adjacent local jurisdictions must be notified

of the intent to amend the program at least 60 days prior to amendment and full documentation of the amendment must be provided to SANBAG within 30 days following local jurisdiction approval. This includes any amendments to the program made as a result of annexations. For amendments made due to annexations, sufficient information (e.g. transfer of growth and project costs from the County to a city) ~~should~~must be provided to allow SANBAG to determine how each jurisdiction's fair share target amount is affected, which will allow local jurisdictions to subsequently modify their development mitigation program. However, a formal revision of the Nexus Study by SANBAG will not occur until the next Nexus Study update cycle.

Local jurisdiction development mitigation programs must ~~provide for an annual review and annually incorporate an~~ adjustment of project cost estimates. The city council/Board of Supervisors must approve the adjustments on an annual basis and reflect those adjustments in local development impact fees or other per-unit mitigation levels or assessments. The adjustments shall be based on an escalation factor approved by the SANBAG Board of Directors. The adjustment must be adopted by the city council/Board of Supervisors by either January 1 or July 1 following the approval of the escalation factor by the SANBAG Board, depending on the timeline chosen by the local jurisdiction and documented in the Nexus Study. The Nexus Study will include a list of local jurisdiction development mitigation program update adoption timelines.

Completed projects will remain in the Nexus Study project list. Following project completion, the Nexus Study will be updated to include the actual project cost for the project. Each year, project costs for completed projects must be escalated based on the SANBAG Board approved escalation factor. The escalation of costs for completed projects ensures that all development that benefits from a project pay for its fair share of the project.

#### **J.4. Maintenance of Local Jurisdiction Development Mitigation Funds**

Contributions and funding from new development for regional transportation improvements will be retained and managed by local jurisdictions until expended. Each local jurisdiction must maintain a development mitigation account consistent with the California Government Code 66000 et. seq. Any fee credit program shall be the responsibility of the local jurisdiction.

As an option, the local jurisdiction may arrange for SANBAG to retain the regional portion of the development contributions collected by the local jurisdiction, to be disbursed only on projects for which the local jurisdiction is responsible. This may, at the local jurisdiction's option, include SANBAG's retention of only the funds associated with the fair share contributions for interchange improvements.

#### **J.5. Coordinating Development Mitigation Programs for Cities with Spheres of Influence**

Each jurisdiction must maintain development mitigation fund accounts for any special districts or subareas used as the basis for establishing levels of contribution from new development. Where the County of San Bernardino and a city establish a combined development mitigation program for that jurisdiction and its sphere area of influence, the County shall maintain a development mitigation fund specifically for that sphere area of influence, unless the city and County make an alternate arrangement that still achieves their combined fair share requirement.

In a sphere of influence, the County determines which projects will be included in the Nexus Study. Local jurisdictions and the County may negotiate a common project list. However, should there be a discrepancy

between the lists, SANBAG staff will defer to the County's desired project list.

Development contributions from growth in that sphere area shall be expended on projects in that sphere area and on the sphere's share of interchange projects. The County and cities may execute alternate agreements for the management of development contributions for sphere areas. Such agreements between the County and a city governing development mitigation in the sphere area shall address the use and/or transfer of funds in the event that an annexation occurs. A copy of this agreement, or any modifications to the agreement, shall be provided to SANBAG within 30 days of execution by the city and County.

When the sphere area of influences is included as part of a city's geographic area for purposes of DIF program fee calculation, it is expected that the fees for regional transportation improvements by land use type will be the same for areas within the city boundary and within the sphere. If a city or the County includes additional local (non-regional) roadway projects in their program, it is possible that the fees may vary between the city and sphere areas. Fees will still be collected by the County for unincorporated areas and spent within the sphere area from which they were collected, unless a different agreement is executed between the city and County.

The County and each individual city may jointly determine whether or not to include the sphere area as part of the city's fair share calculation. If a sphere is not included with the corresponding city for fair share calculation purposes, the County will need to delineate the alternate geographic boundaries to be used for unincorporated areas. The County will need to maintain records for individual city spheres or other County-defined geographic areas.

#### **J.6. Expenditure of Development Contributions**

Each jurisdiction will be responsible for determining when development contributions from their own development mitigation program are to be expended on projects within their jurisdiction or on their portion of projects shared with another jurisdiction. Each jurisdiction will be expected to contribute dollars to a project equal to or ~~exceeding~~ greater than the fair share percentage (as determined by the Nexus Study) of the actual project cost (as adjusted based on qualifying federal or state appropriations that reduce the project cost). The Measure I Strategic Plan or other SANBAG policies may identify additional requirements for use of Measure I, State, or Federal funds, and local jurisdictions should recognize that State, Federal, Measure I 2010-2040 Valley Interchange and Major Street Funds, or Victor Valley Major Local Highway Projects Funds may not be available on demand to cover the full non-fair share portion of the cost for a specific project listed in the Nexus Study. Local jurisdictions will not be forced to participate in a multi-jurisdictional project but must abide by the provisions of state law regarding collection and disbursement of development contributions. Jurisdictions requesting funds for a multi-jurisdictional project should consider executing a cooperative agreement or other instrument to clearly identify roles and responsibilities for funding and delivering that project.

**Arterial Improvements** - For arterial improvements and railroad grade separations, the lead local jurisdiction (jurisdiction in which the project is located) shall determine when development contributions are to be applied to specific projects and when application will be made for other funds (Measure I, State or Federal).

**Interchange Improvements** - For interchange improvements, the lead local agency (or possibly co-lead agencies where the interchange footprint is in two or more jurisdictions) determines when application requests will be made for funds (Measure I,

State or Federal) to be used in combination with development contributions. Application for funds will need to include commitments from the lead agency(ies) equivalent to at least the fair share amount (fair share percentage times the actual project cost). If the interchange fair share is allocated among two or more agencies, the lead agency will need to demonstrate that the collective funding commitment is equivalent to at least the fair share amount.

A loan program may be established for interchanges or arterials (i.e. arterials where the cost is shared by two or more jurisdictions) wherein some of the fair share amount can be borrowed from Measure I 2010-2040 Interchange funds or Major Street funds, subject to other limitations and finance charges, if applicable. Terms of the loan will be established by the SANBAG Board on a case-by-case basis, with written consent of all participating jurisdictions.

#### **J.7. Additional Guidelines for Development Impact Fee Programs and special assessment districts**

For DIF programs, fees will be established by each local jurisdiction. At the time when a local jurisdiction presents its development mitigation program to SANBAG for certification, the local jurisdiction must demonstrate that the entire development mitigation program established will achieve the total Nexus Study's fair share requirement for regional projects, if the projected growth occurs.

Fee and assessment districts may be established defining development contribution fair share requirements for regional transportation projects within subareas of a jurisdiction. The fair share requirements would be established based on the project costs and projected growth for that district. The development contribution requirement for the district must include the fair share of interchange improvement costs associated with that district in the SANBAG Nexus Study. Any project costs included in

the special district would be excluded from the larger, jurisdiction-wide fee program.

Projects may be added to an existing special district to satisfy the fair share target amounts, but it must be demonstrated that the legal mechanism exists to assess the additional costs to development projects in that existing district. Otherwise, the additional costs for regional improvements associated with that special district must be included in the jurisdiction-wide development mitigation program. Development contributions obtained from the district would be expended on regional transportation projects in the district or on the fair share of an interchange project for which the district is responsible. The interchange portion of the district's development mitigation fund must be accounted for separately, or the special district may maintain an agreement for the local jurisdiction to manage the interchange portion of the fund in conjunction with the jurisdiction-wide development mitigation fund.

#### **J.8. Annual Reports**

The local jurisdiction must submit an annual development mitigation report to SANBAG. The annual report is an informational document and does not require approval by the local jurisdiction's elected body. If the development mitigation program contains individual districts (e.g. road and bridge benefit districts separate from a jurisdiction-wide program), reporting must be specified by district. The County must organize its annual reporting by sphere area or by other geographic subareas established in their development mitigation program. By agreement with the corresponding city, the County may include the reporting for its sphere together with the city's annual report. The annual report must contain the following information:

1. Quantity of development for which development contributions were generated by development type.
2. Total development contributions by development type.
3. Other types of development-related transportation funds ~~obtained~~ applied to projects during the year (e.g. grants)
4. Funds expended from the development mitigation program (engineering, right-of-way, construction, etc.) on regional transportation projects listed in the local jurisdiction's development mitigation program. The funds expended must be listed by individual project and must be reported for the current year and cumulatively for each project.

The annual report shall be provided to SANBAG within 90 days of the end of the fiscal year (by October 1 of each year). SANBAG will provide formats and forms (electronic and/or hard copy) for agencies to use in preparing the reports.

#### **J.9. Compliance**

Local jurisdictions must maintain their CMP development mitigation program in accordance with requirements in Appendix J. Local jurisdictions may be found out of compliance with the CMP Land Use/Transportation Analysis Program in one of the following ways:

1. Failure to adopt and maintain a development mitigation program that satisfies the CMP criteria
2. Failure to provide development mitigation program updates within the prescribed time frames
3. Failure to submit complete annual reports to SANBAG in a timely manner

The SANBAG Executive Director will notify a local jurisdiction when the jurisdiction appears to be out of compliance with the CMP development mitigation program. The jurisdiction has 90 days to bring its development mitigation program into

compliance following the public hearing mandated in State law. If the program is not brought into compliance within the designated period, the Executive Director will recommend a finding of non-compliance to the SANBAG Board of Directors. At that point, the provisions of state law will be applied regarding withholding of Section 2105 gas tax dollars and re-establishment of compliance with the CMP.

## *Minute Action*

AGENDA ITEM: 5

**Date:** September 19, 2007

**Subject:** Addition of New Projects to the SANBAG Development Mitigation Nexus Study

**Recommendation:\*** 1) Approve the addition of the Vineyard Ave. / I-10 Interchange in Ontario and any other interchanges proposed by local jurisdictions to the 2007 update of the SANBAG Development Mitigation Nexus Study

2) Direct staff to modify Appendix J of the Congestion Management Program (CMP) to allow local jurisdictions the flexibility of adding and subtracting projects from the Nexus Study project list so long as it does not result in the net increase in project cost, as adjusted for inflation, for the development mitigation program.

3) Direct staff to modify Appendix J of the CMP to require jurisdictions wishing to substitute projects in future Nexus Study updates to demonstrate that the substituted projects are of the same or lesser cost than the projects removed.

**Background:** A provision of the Measure I 2010-2040 Ordinance, approved by the voters of San Bernardino County on November 2, 2004, requires each local jurisdiction in the urbanized areas of San Bernardino County to adopt a development mitigation program that addresses regional transportation needs. The contribution to regional projects was contemplated to be a significant component of the financial resources required to delivering the full set of projects included in the Measure I 2010-2040 Expenditure Plan.

*Approved*  
*Plans and Programs Committee*

*Date:* \_\_\_\_\_

*Moved:*

*Second:*

*In Favor:*

*Opposed:*

*Abstained:*

*Witnessed:* \_\_\_\_\_

Between late 2004 and the approval of the development mitigation program by the Board in November 2005, SANBAG staff prepared a Nexus Study that establishes fair share calculation methodologies for each project type (arterial, interchange and grade separation projects) and calculates specific fair shares for each project, based on the growth in trip ends between 2004 and 2030. The current Board-adopted version of the Nexus Study and its implementation language, Appendix J of the Congestion Management Program, provide local jurisdictions the opportunity to add and subtract projects from their project lists during the biennial update to the Development Mitigation Program.

During the 2007 biennial update of the Nexus Study, it has become apparent to staff that the policy implications of a fluid project list need to be considered in greater detail. Staff sees two fundamental policy issues associated with continuing to allow fluidity in the project list, subject to biennial additions and deletions by local jurisdictions staff: the possible exposure of future development to additional costs, and the exposure of Measure I to excessive funding demands.

First, the fair share percentage for projects as calculated by the SANBAG Development Mitigation Nexus Study was based on the growth in trip ends between 2004 and 2030. For each year that a project is not included in the Nexus Study, and by extension a local jurisdiction development impact fee plan, development is permitted without those projects being included in the established fee program. When a project is added subsequent to the original adoption of the Nexus Study, a certain amount of development will have occurred without contributing to the development fair share for that project. Future development (e.g. the balance of growth forecast to occur within a jurisdiction) would be required to provide a disproportionate share of the project's cost, based on the methodology used to calculate development fair share contributions in the Nexus Study. This suggests that additions to the project list and associated project costs in the Nexus Study should be limited to a manner that maintains a degree of flexibility but maintains the overall stability of the SANBAG Development Mitigation Program.

Second, the cost and revenue projections that have been prepared by SANBAG staff for the Measure I 2010-2040 Strategic Plan show both the Valley Major Streets program and the Valley Interchange program as close to being fully constrained. Allowing jurisdictions to expand their project lists included in the Nexus Study further exposes the Measure I to the possibility that it may be unable to fund all of its commitments. Consequently, it appears to be in the best interest of delivering the entire project list included in the original, Board-adopted, Nexus

Study that limitations be placed on the net increase included in future updates. It may be advisable based on periodic re-examinations of revenue and cost projections in future updates to the Measure I Strategic Plan or the Nexus Study to revisit this issue. However, staff believes that a conservative approach is appropriate at this point.

To address the concerns highlighted in this agenda item, staff has several policy recommendations.

- First, approve the inclusion of the Vineyard Ave. / I-10 Interchange in the Nexus Study. The universe of possible additional interchanges to be added to the program is very small and this interchange provides significant access improvements to the Ontario Airport as it continues its expansion. The interchange fair share percentage would be calculated as it would have been in the original Nexus Study. The “make-up” provision, recommended for inclusion in Appendix J of the CMP, would ensure that the local jurisdiction and SANBAG meet the development mitigation requirements contained in the Measure I 2010-2040 Ordinance.
- Second, allow local jurisdictions the flexibility of adding and subtracting projects from the Nexus Study project list so long as it does not result in the net increase in project cost, as adjusted for escalation, for the development mitigation program. As agencies seek to deliver their project lists contained in their development impact fee programs, it is likely that certain projects will not be constructed and similarly unanticipated projects will be needed. So long as local jurisdictions are able to make trade-offs within their program that do not increase the overall burden to the Measure, staff recommends allowing local jurisdictions to make those changes.
- Third, for jurisdictions that wish to substitute projects in future Nexus Study updates, the jurisdiction must be prepared to demonstrate that the substituted projects are of the same or lesser cost than the projects removed. Materials for substituted projects will need to be presented to SANBAG staff for review to ensure that projects included in the Nexus Study are comparable and do not result in an increased financial burden to the Measure in subsequent years.

If so directed, the above recommendations would be incorporated into the 2007 update of the CMP, for review and approval by the Plans and Programs Committee in October 2007. This item is being brought to the Plans and Programs Committee separately from the other Nexus Study item because of the potential impact of these provisions on Measure I 2010-2040.

***Financial Impact:*** This item has no impact on the current Board adopted FY 2007-2008 budget, TN 20308005, Congestion Management Plan, General. The development mitigation program is an essential element of the funding estimates contained in the Expenditure Plan for Measure I 2010-2040 and the Measure I 2010-2040 Strategic Plan currently in development.

***Reviewed By:*** This item will be reviewed by the Plans and Programs Policy Committee on September 19, 2007.

***Responsible Staff:*** Ryan Graham, Transportation Planning Specialist  
Steve Smith, Chief of Planning

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

### *Minute Action*

AGENDA ITEM: 6

**Date:** September 19, 2007

**Subject:** City of Highland Measure I 2010-2040 Project Advancement Agreement

**Recommendation:\*** Approve Measure I 2010-2040 Project Advancement Cooperative Agreement C08016 with the City of Highland for the Greenspot Road Improvement Project between SR-30 and Boulder Avenue.

**Background:** A strategy to advance SANBAG Nexus Study interchange, arterial, and grade separation projects to construction prior to the availability of Measure I 2010-2040 revenues was approved by the Board in December 2005. A model interagency agreement to implement the program was approved by the Board in April 2005.

The City of Highland has approved the attached Cooperative Agreement for the Greenspot Road Improvement Project between SR-30 and Boulder Avenue and is requesting approval by the Authority. The agreement commits the Authority to reimbursement of up to \$523,416 in Measure I 2010-2040 revenues dedicated to the Major Streets Program. The reimbursement schedule will be determined by the Measure I 2010-2040 Strategic Plan. Construction began in September 2007.

This commitment represents one percent of the public share costs identified in the SANBAG Nexus Study in the City of Highland in the Major Streets Program. When considered with all Major Streets Program advancement agreements approved to date, the agreements represent six percent of the total Measure I revenue dedicated to these projects. Table 1 summarizes these commitments as well as other project advancement agreements that have been approved since development of this program.

\*

*Approved*  
*Plans and Programs Policy Committee*

*Date:* \_\_\_\_\_

*Moved:*

*Second:*

*In Favor:*

*Opposed:*

*Abstained:*

*Witnessed:* \_\_\_\_\_

***Financial Impact:*** The agreement commits the Authority to reimbursement of up to \$523,416 in Measure I 2010-2040 revenues dedicated to the Major Streets Program. The reimbursement schedule will be determined by the Measure I 2010-2040 Strategic Plan.

***Reviewed By:*** This item will be reviewed by the Plans and Programs Policy Committee on September 19, 2007.

***Responsible Staff:*** Ty Schuiling, Director of Planning and Programming  
Andrea Zureick, Chief of Programming

# MEASURE I 2010- 2040 Project Advancement Program

Freeway Interchange Projects							% of Total Identified in Nexus Study/Exp
Agency	Contract No.	Board Approval	Project Location	Project Description	Cost Estimate	Measure Share	
Yucaipa	C07047	08/02/2006	I-10 at Oak Glen/Live Oak	Interchange Reconstruction	18,403,246	6,286,672	--
Fontana	C07129	12/06/2006	I-15 at Duncan Canyon Rd	Construct New Interchange	18,000,000	4,068,000	--
Rialto	C07170	04/04/2007	I-10 at Riverside Avenue	Interchange Reconstruction	30,400,000	18,834,581	--
TOTAL MEASURE COMMITMENT TO FREEWAY INTERCHANGE PROJECTS						29,189,253	4%

Major Street Projects							% of Total Identified in Nexus Study/Exp
Agency	Contract No.	Board Approval	Project Location	Project Description	Cost Estimate	Measure Share	
Chino Hills	C07022	07/05/2006	Peyton Dr	Widen from Grand Av to Chino Hills Pkwy	15,167,000	8,202,776	36%
Fontana	C07058	12/06/2006	Baseline Ave.	Widen from Citrus Ave to 330' East of Mango Ave	7,550,000	5,134,000	
Fontana	C07059	12/06/2006	Cherry Ave	Widen from Jurupa Ave to Slover Ave	3,110,000	2,114,800	
Fontana	C07060	12/06/2006	Foothill Ave	Widen from East Ave to Hemlock Ave	7,400,000	5,032,000	
Fontana	C07061	12/06/2006	Sierra Ave	Widen from Baseline Ave to Walnut Ave	7,800,000	5,304,000	
Fontana	C07062	12/06/2006	Jurupa Ave	Widen from Etiwanda Ave to Sierra Ave	12,000,000	8,160,000	
Fontana	C07063	12/06/2006	Citrus Ave	Widen from Baseline Ave to So. Highland Ave	4,000,000	2,720,000	
Fontana	C07064	12/06/2006	Walnut Ave	Widen from Citrus Ave. to Sierra Ave	4,200,000	2,856,000	
Fontana	C07065	12/06/2006	So. Highland Ave	Widen from San Sevaine Rd to Citrus Ave	4,000,000	2,720,000	
Fontana	C07066	01/10/2007	Cypress Ave	Construct Overcrossing at I-10	20,000,000	10,245,502	
Highland	C08016	pending	Greenspot Rd	TOTAL MEASURE COMMITMENT TO FONTANA	44,286,302		25%
Rancho Cucamonga	C07025	08/02/2006	Haven Ave	Improvements (widening) from SR-30 to Boulder Ave	2,710,000	523,416	1%
Yucaipa	C07098	10/04/2006	Yucaipa Blvd	Construct Grade Separation	15,910,000	13,856,000	
Yucaipa	C07099	10/04/2006	Oak Glen Rd	TOTAL MEASURE COMMITMENT TO RANCHO CUCAMONGA	13,856,000		20%
Yucaipa	C07100	10/04/2006	Oak Glen Rd	Widen South Side from 5th St to 12th St	2,898,400	1,224,750	
Yucaipa	C07101	10/04/2006	Widwood Canyon Rd	Widen from 2nd St to Bryant	500,000	345,000	
				Widen from Yucaipa Bl to Avenue E	1,800,000	1,242,000	
				Intersection Improvements at 5th St	551,605	380,880	
				TOTAL MEASURE COMMITMENT TO YUCAIPA	3,192,630		4%
TOTAL MEASURE COMMITMENT TO MAJOR STREET PROJECTS						70,061,124	6%

**SANBAG Contract No. C08016**

by and between

San Bernardino County Transportation Authority

and

City of Highland

for

Greenspot Road Improvements Project from SR-30 to Boulder Avenue**FOR ACCOUNTING PURPOSES ONLY**☒ Payable

Vendor Contract # \_\_\_\_\_

Retention:

☒ Original☐ Receivable

Vendor ID \_\_\_\_\_

☐ Yes \_\_\_\_\_ % ☒ No☐ Amendment

Notes: This is a Measure I 2010-2040 Project Advancement Agreement with reimbursement schedule to be determined through the Measure I 2010-2040 Strategic Plan

Original Contract: \$ 523,416

Previous Amendments Total: \$ \_\_\_\_\_

Previous Amendments Contingency Total: \$ \_\_\_\_\_

Contingency Amount: \$ \_\_\_\_\_

Current Amendment: \$ \_\_\_\_\_

Current Amendment Contingency: \$ \_\_\_\_\_

Contingency Amount requires specific authorization by Task Manager prior to release.

**\$ 523,416****Contract TOTAL →**

↓ Please include funding allocation for the original contract or the amendment.

<u>Task</u>	<u>Cost Code</u>	<u>Funding Sources</u>	<u>Grant ID</u>	<u>Amounts</u>
60908000	_____	MI2010-2040 Valley Major Streets Program	_____	\$ <u>523,416</u>
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____

Original Board Approved Contract Date: 4/4/07 Contract Start: 4/4/07 Contract End: TBD

New Amend. Approval (Board) Date: \_\_\_\_\_ Amend. Start: \_\_\_\_\_ Amend. End: \_\_\_\_\_

**If this is a multi-year contract/amendment, please allocate budget authority among approved budget authority and future fiscal year(s)-unbudgeted obligations:****Approved Budget  
Authority →**

Fiscal Year: \_\_\_\_\_

\$ \_\_\_\_\_

**Future Fiscal Year(s) –  
Unbudgeted Obligation →****\$ 523,416**Is this consistent with the adopted budget? ☒ Yes ☐ NoIf yes, which Task includes budget authority? N/AIf no, has the budget amendment been submitted? ☐ Yes ☐ No**CONTRACT MANAGEMENT****Please mark an "X" next to all that apply:**☒ Intergovernmental☐ Private☐ Non-Local☐ Local☐ Partly LocalDisadvantaged Business Enterprise: ☐ No ☐ Yes \_\_\_\_\_ %Task Manager: **Ty Schuiling**Contract Manager: **Andrea Zureick**

Task Manager Signature

Date



Contract Manager Signature

Date

9/12/07

Chief Financial Officer Signature

Date

Filename: C07170

Form 28 06/06

**COOPERATIVE AGREEMENT NO. C08016  
BETWEEN**

**SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY**

**AND**

**CITY OF HIGHLAND**

**FOR**

**Greenspot Road Improvements between SR-30 and Boulder Avenue**

THIS AGREEMENT is made and entered into this \_\_\_\_ day of \_\_\_\_\_ by and between the San Bernardino County Transportation Authority (hereinafter referred to as "SANBAG") and the City of Highland (hereinafter referred to as "CITY").

**WITNESSETH**

WHEREAS, the SANBAG Nexus Study and the Measure I 2010-2040 Expenditure Plan identified freeway interchange, major street, and railroad grade separation projects eligible for partial funding from Measure I 2010-2040 revenues; and

WHEREAS, CITY wishes to begin construction of Greenspot Road Improvements between SR-30 and Boulder Avenue (hereinafter referred to as the "PROJECT") by January 1, 2008; and

WHEREAS, SANBAG has determined that this PROJECT is defined within the SANBAG Nexus Study within the urban areas of the county; and

WHEREAS, since revenue from Measure I 2010-2040 will not be available until 2010 or later, CITY desires to use its own local (non-SANBAG) funds to construct the PROJECT at this time; and

WHEREAS, SANBAG and CITY are entering into this Agreement that will allow CITY to use funds not contributed or allocated by SANBAG to implement the PROJECT immediately with the understanding that SANBAG will reimburse CITY for eligible PROJECT expenditures at a later date with Measure I 2010-2040 revenue and in accordance with the reimbursement schedule established in the Measure I 2010-2040 Strategic Plan.

NOW, THEREFORE, SANBAG and CITY agree to the following:

## SECTION I

### SANBAG AGREES:

1. To reimburse CITY for those eligible PROJECT expenses that are incurred by CITY for the PROJECT-specific work activities, as set forth in Attachment A to this Agreement. Said reimbursement amount shall not exceed the percentage of estimated cost as set forth in the SANBAG Nexus Study, up to \$523,416. The SANBAG Nexus Study states an estimated cost of \$2,710,000. In the event that the project cost is lower, the reimbursement percentage shall apply. In this event, the reimbursement shall be calculated as follows:
  - a. Subtract \$129,600 in State Bicycle Transportation Accounty funds from the actual cost, as documented following the procedures outlined in SECTION II below;
  - b. Multiply the result by the reimbursement percentage (54%, from the SANBAG Development Mitigation Nexus Study, 2005);
  - c. Subtract \$870,000 in Federal Surface Transportation Program funds from the result, as documented following the procedures outlined in SECTION II below.

In the event that all or a portion of the Federal/State funds identified above are not available for application to this project, the reimbursement amount shall be recalculated to reflect the change in Federal/State transportation funding. In the event that additional Federal/State funds are applied to this project (in addition to the grant listed above) the reimbursement amount shall be recalculated to reflect the change in Federal/State transportation funding.

These calculations are based on the principles contained in Chapter 4, Section 4B of the 2005 Congestion Management Program prepared by the San Bernardino County Congestion Management Agency (CMA), adopted by the CMA in November, 2005. The two pertinent principles are:

- Federal or state appropriations from transportation sources for specific projects will reduce the project costs, not just reduce the required developer mitigation. The percentage share of the remaining project costs allocated to development and other sources will remain the same.
- Funds generated by local jurisdictions from non-transportation sources (federal, state or other) will be eligible for credit against local fair-share development contributions. In addition, SANBAG may permit the use of transportation dollars (federal or state appropriations) as a credit against local fair-share development contributions on an exception basis, when the local jurisdiction shows that such transportation dollars are net "new" dollars to the regional transportation system.

2. To reimburse CITY, subject to Article 1 of this Section I, in accordance with the reimbursement terms set forth in the Measure I 2010-2040 Strategic Plan and after CITY submits to SANBAG an original and two copies of the signed invoices in the proper form covering those actual allowable PROJECT expenditures that were incurred by CITY.
3. When conducting an audit of the costs claimed under the provisions of this Agreement, to rely to the maximum extent possible on any prior audit of CITY performed pursuant to the provisions of state and federal laws. In the absence of such an audit, work of other auditors will be relied upon to the extent that work is acceptable to SANBAG when planning and conducting additional audits.

## SECTION II

### CITY AGREES:

1. Subject to Article 1 of Section I, that only eligible PROJECT-specific work activities, as set forth in Attachment A to this Agreement, which are for transportation purposes that conform to the SANBAG Nexus Study, will be eligible for future Measure I 2010-2040 reimbursement. CITY agrees that for work it will later claim reimbursement hereunder, it will only undertake eligible PROJECT-specific work activities.
2. To abide by all State and, if applicable, Federal policies and procedures pertaining to the PROJECT.
3. After completion of the PROJECT, to prepare and submit to SANBAG an original and two copies of signed invoices for subsequent reimbursement of those eligible PROJECT expenses. CITY further agrees and understands that SANBAG will not reimburse CITY for any PROJECT expenditures that are not described in the PROJECT-specific work activities.
4. If Measure I 2010-2040 reimbursement funds are received by CITY, to repay to SANBAG any costs that are determined by subsequent audit to be unallowable within thirty (30) days of CITY receiving notice of audit findings. Should CITY fail to reimburse moneys due SANBAG within (30) days of demand, or within such other period as may be agreed between both parties hereto, SANBAG reserves the right to withhold future payments due CITY from any source under SANBAG's control.
5. To maintain all source documents, books and records connected with its performance under this Agreement for a minimum of five (5) years from the date of the Final Report of Expenditures submittal to SANBAG or until audit resolution is achieved and to make all such supporting information available

for inspection and audit by representatives of SANBAG. Copies will be made and furnished by CITY upon request, but in no case less than five (5) years from the date of final reimbursement payment, if said reimbursement occurs under this Agreement.

6. To establish and maintain an accounting system conforming to Generally Accepted Accounting Principles (GAAP) to support CITY request for reimbursement, payment vouchers, or invoices which segregate and accumulate costs of PROJECT work elements and produce monthly reports which clearly identify reimbursable costs, matching fund costs, and other allowable expenditures by CITY.
7. To prepare a Final Report of Expenditures, including a final invoice reporting the actual eligible PROJECT costs expended for those activities described in the work activities, and to submit that Report and invoice no later than 60 days following the completion of those expenditures. The Final Report of Expenditures, three copies of which report shall be submitted to SANBAG, must state that these PROJECT funds were used in conformance this Agreement and for those PROJECT- specific work activities described.
8. To have a PROJECT-specific audit completed by SANBAG upon completion of the PROJECT. The audit must state that all funds expended on the PROJECT were used in conformance with this Agreement.
9. CITY agrees that PROJECT reimbursement schedule will be determined as part of the Measure I 2010-2040 Strategic Plan.
10. CITY agrees to post signs on ends of PROJECT noting that PROJECT is funded with Measure I funds. Signs shall bear the logos of San Bernardino Associated Governments and City of Highland.

### SECTION III

#### IT IS MUTUALLY AGREED:

1. SANBAG's financial responsibility shall not exceed \$523,416 (as adjusted based on the availability of Federal/State transportation funding as described in SECTION I) or the amount based on actual cost as derived in SECTION I, whichever is less.
2. Eligible PROJECT reimbursements shall include only those costs incurred by CITY for PROJECT-specific work activities that are described in this Agreement and shall not include escalation, interest, or other fees.
3. SANBAG shall have no responsibility to reimburse any otherwise allowable PROJECT expenditures until a date to be determined by the Measure I 2010-

2040 Strategic Plan, nor will SANBAG reimburse CITY those said expenditures unless and until such time as a) sufficient Measure I 2010-2040 revenue exists to fund those eligible PROJECT reimbursements and b) CITY has satisfied any and all other necessary PROJECT requirements including the submission of all required invoices and Reports.

4. Once reimbursement is initiated in accordance with a schedule determined through the Measure I 2010-2040 Strategic Plan, total reimbursements to all eligible advanced projects shall not exceed 40 percent of the revenues allocated to the program categories from which the projects will be funded. Reimbursement shall be provided in proportion to the share of total reimbursable cost represented by each project. Reimbursement in full for eligible costs shall be completed no later than receipt of final revenues generated by Measure I 2010-2040.
5. In the event CITY fails to initiate construction by January 1, 2008, fails to complete the PROJECT commenced under this Agreement, fails to perform any of the obligations created by this Agreement, or fails to comply with applicable state and, if applicable, federal laws and regulations, SANBAG reserves the right to terminate this Agreement and any subsequent funding for the PROJECT or a portion thereof upon written notice to CITY. CITY may only be reimbursed for those eligible PROJECT expenditures that occur prior to the date of termination when successfully completed as provided for pursuant to this Agreement. An audit may be performed as provided in Section II, Article (8) of this Agreement.
6. Neither SANBAG nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction delegated to CITY under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, CITY shall fully defend, indemnify and save harmless SANBAG, its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction delegated to CITY under this Agreement.
7. This Agreement will be considered terminated upon reimbursement of eligible costs by SANBAG.

**San Bernardino County  
Transportation Authority**

By: \_\_\_\_\_  
Lawrence Dale  
President, SANBAG Board of  
Directors

Date: \_\_\_\_\_

APPROVED AS TO FORM AND  
PROCEDURE:

By: \_\_\_\_\_  
Jean-Rene Basle  
SANBAG County Counsel

Date: \_\_\_\_\_

**City of Highland**

By: \_\_\_\_\_  
Ross B. Jones  
Mayor

Date: \_\_\_\_\_

APPROVED AS TO FORM AND  
PROCEDURE:

By: \_\_\_\_\_  
Marguerite P. Battersby  
City Attorney

Date: \_\_\_\_\_

## **Attachment A**

### **GREENSPOT IMPROVEMENT PROJECT State Route 30 to Boulder Avenue**

#### **Project Scope and Cost**

##### **Proposed Improvements:**

- Reconstruct, improve and widen 5<sup>th</sup> Street from 2 lanes to 4 lanes including a Class 2 bike lane between State Route 30 and Boulder Avenue.

##### **Summary of Project Costs (Estimate):**

• Environmental Study	\$ 78,000
• Design	\$ 168,000
• Construction	\$1,627,000
• Construction Management	\$ 204,000
• Environmental Mitigation	<u>\$ 143,000</u>
<b>Total Project Cost</b>	<b>\$2,220,000</b>

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

## *Minute Action*

### AGENDA ITEM: 7

**Date:** September 19, 2007

**Subject:** Quarterly Administrative Report on SANBAG Federal Funding Programs

**Recommendation:**\*  
1) Receive report on quarterly reporting and obligation status.  
2) Adopt a finding of compliance with obligation requirements for all affected agencies.

**Background:** Assembly Bill 1012 requires SANBAG to monitor and report to Caltrans on the use of Congestion Mitigation and Air Quality (CMAQ) and Regional Surface Transportation Program (RSTP) funds apportioned to San Bernardino County and allocated by the SANBAG Board. Federal funds apportioned to SANBAG are eligible for obligation for three years. Obligation refers to a commitment by the FHWA to reimburse an agency for an authorized amount of federal funds for a specific project. After three years, unobligated apportionments are subject to reprogramming and loss to SANBAG and its member agencies.

Because of SANBAG's requirement to manage the timely use of funds to avoid loss of funding pursuant to the provisions of AB1012, the SANBAG Board established a protocol that requires recipients of federal funds allocated by SANBAG to enter into contracts with SANBAG. These contracts include a description of the scope of the approved project, the amount of federal fund allocation, and the schedule of project

\*

*Approved*  
*Plans and Programs Policy Committee*

*Date:* \_\_\_\_\_

*Moved:*      *Second:*

*In Favor:*      *Opposed:*      *Abstained:*

*Witnessed:* \_\_\_\_\_

implementation. In addition, the terms of the contracts require federal fund recipients to submit quarterly progress reports on their projects to SANBAG until completion of the project. In accordance with adopted SANBAG policy, failure to comply with any provision of the contract constitutes grounds for revocation and reallocation of the funding by action of the SANBAG Board pursuant to the protocol specified in each contract.

#### **Quarterly Reporting Status**

Tables 1 – 3 summarize the projects to which funds were allocated, their quarterly reporting history, and the status of the project. All agencies required to report to SANBAG on the status of their projects submitted quarterly reports by July 15<sup>th</sup> as required by the terms of their contract.

#### **Obligation Status**

As mentioned earlier, federal funds are available for obligation for three years from the date of apportionment. Therefore, unobligated balances from federal apportionments through fiscal year 04/05 will be subject to reprogramming in November 2007. As shown in Tables 1 – 3, SANBAG has already met the AB1012 obligation requirements for fiscal year 06/07; therefore, staff does not expect any CMAQ or STP funds to be subject to reprogramming in November, as indicated by the negative amounts shown in each table under “Expected Amount Subject to Reprogramming 11/07”. According to schedules provided by project sponsors in the quarterly reporting, SANBAG will meet the obligation requirements for fiscal year 07/08, as well.

As was reported to the SANBAG Board in June 2006, Caltrans has developed an Obligation Authority (OA) Management Policy that limits annual obligations to annual OA levels on a county-by-county basis. Because annual apportionments are almost always higher than annual OA levels, OA being the mechanism to access the apportionments, it is inevitable that SANBAG will eventually lose a portion of past apportionments through AB1012. An analysis of the projected impacts of this policy is necessary before allocation of additional funds.

Please note that TE funds, which were previously monitored per AB1012, are now administered through the STIP. The obligation deadline, therefore, is in June each year, consistent with the State fiscal year. Programmed funds not obligated or extended will lapse and be unavailable to San Bernardino County until the 2008 STIP Programming Cycle, which begins at the end of this year.

***Financial Impact:*** Funding for SANBAG's monitoring of local assistance project status is consistent with the adopted SANBAG Budget Task No. 37308000. The absence of critical project status and progress information provided in quarterly reports could result in SANBAG's inability to assure timely obligation of funds to avoid loss to the agency and its members.

***Reviewed By:*** This item is scheduled for review by the Plans and Programs Committee on September 19, 2007 and the Mountain/Desert Committee on September 21, 2007.

***Responsible Staff:*** Ty Schuiling, Director of Planning and Programming  
Andrea Zureick, Chief of Programming

**TABLE 1**  
**Congestion Mitigation and Air Quality Program Status**  
**Mojave Desert Air Basin**

**Quarterly Reporting Status**

Lead Agency	Project Description	Contract Number	Board Approval	Allocated Amount	Obligated Amount	2007 Quarterly Reports				Comments
						1	2	3	4	
Adelanto	Adelanto/Auburn/Jonathan Paving	01-052	12/06/00	\$224,000	\$0	Apr-07	Jul-06	Oct-06	Jan-07	RFA3 to be submitted 8/07
Barstow	1st Av @ Irwin Rd Realignment	00-085	01/05/00	\$265,000	\$265,000	C	C	C	C	Project obligated 8/05
Barstow	LNG/CNG Natural Gas Fueling Station	00-077	04/02/03	\$1,587,823	\$1,587,573	C	C	C	C	Project obligated 8/05
Barstow Transit	Purchase Replacement All Fuel Paratransit Vehicles	00-081	02/07/01	\$1,663,244	\$1,663,244	C	C	C	C	Project obligated 5/03
Barstow Transit	Paratransit Vehicle Replacement - Gas	20040701	08/06/03	\$613,846	\$289,950	Apr-07	Jul-06	Oct-06	Jan-07	Funds programmed in future years
Barstow Transit	Purchase Replace All Fuel Paratransit Vehicles	20020140	08/06/03	\$863,000	\$276,000	Apr-07	Jul-06	Oct-06	Jan-07	Funds programmed in future years
Barstow Transit	Paratransit Vehicle Expansion	20040821	08/06/03	\$191,000	\$191,490	C	C	C	C	Project obligated 9/06
Barstow Transit	Bus System - 27 Passenger Replacement All Fuel	20041303	08/06/03	\$1,142,000	\$0	Apr-07	Jul-06	Oct-06	Jan-07	All funds programmed in future years
Barstow Transit	Bus System - Expansion Bus - 35' All Fuel 06-2	20041301	10/05/05	\$673,000	\$672,828	C	C	C	C	Project obligated 9/06
Caltrans	I.E. Transportation Management Center & PNR - Fontana	200626	10/05/05	\$1,350,000	\$0	Apr-07	*	Oct-06	Jan-07	RFA3 to be submitted 12/07
MBTA	Replacement Paratransit Vehicles - Gas	20040811	08/06/03	\$616,000	\$0	Apr-07	Jul-06	Oct-06	Jan-07	Application submitted to Sacramento. Obligation July/Aug 2007
MBTA	Deviated Fixed Route Vehicle Replace - All Fuel(28 passenger)	20040812	08/06/03	\$327,000	\$0	Apr-07	Jul-06	Oct-06	Jan-07	Funds programmed in future years
MBTA	Deviated Fixed Route Vehicle Replace - All Fuel(33 passenger)	20040813	08/06/03	\$269,000	\$0	Apr-07	Jul-06	Oct-06	Jan-07	Funds programmed in future years
MBTA	Purchase Replacement All Fuel Paratransit Vehicles	00-082/01-083	02/07/01	\$2,460,974	\$2,460,974	C	C	C	C	Project fully obligated
MBTA	Purchase Replacement All Fuel Paratransit Vehicles	20020808	08/06/03	\$371,000	\$370,941	C	C	C	C	Project obligated 4/05
SB County	Larrea Rd Paving	00-086	12/06/00	\$569,530	\$569,972	C	C	C	C	Project obligated 7/05
SB County	Mesquite St Paving	00-087	12/06/00	\$534,690	\$534,781	C	C	C	C	Project obligated 8/05
Victorville	Park & Ride at Victor Valley College	01-048	12/06/00	\$931,987	\$102,000	Apr-07	Jul-06	Oct-06	Jan-07	RFA3 to be submitted 7/07
Victorville	I-15/Amargosa Park-n-Ride Lot Expansion	00-107	02/02/00	\$653,728	\$90,000	Apr-07	Jul-06	Oct-06	Jan-07	RFA3 to be submitted 6/07
VVTA	Replace All Fuel Paratransit Vehicles	SBD41114	08/06/03	\$1,137,000	\$0	Apr-07	Jul-06	Oct-06	Jan-07	Grant app to FTA 5/07. Estimate obligation June/July 2007
VVTA	Replacement CNG Buses	SBD41084	08/06/03	\$3,498,750	\$3,499,190	C	C	C	C	Project obligated 6/06
VVTA	Replace All Fuel Paratransit Vehicles	00-084	02/07/01	\$1,952,273	\$1,952,273	C	C	C	C	Funds obligated
VVTA	Replacement CNG Buses	00-083	02/07/01	\$3,289,524	\$3,289,124	C	C	C	C	Funds obligated
TOTALS				\$25,183,369	\$17,805,340					

**Obligation Status (as of June 30, 2007)**

Fiscal Year 06/07:

Fiscal Year 07/08:

Apportionment Subject to Reprogramming	\$9,737,461	Apportionment Subject to Reprogramming	\$7,944,996
Obligated Amount to Date*	\$5,508,912	Obligated Amount for FY07/08	\$0
Additional Obligation Scheduled by 11/07	\$639,101	Additional Obligation Scheduled by 11/08	\$3,001,658
Expected Amount Subject to Reprogramming 11/07**	\$3,589,448	Expected Amount Subject to Reprogramming 11/08**	\$4,943,338

**NOTES:**

- \* - Includes projects with closed contracts and projects funded through Board set-asides
- \*\* The obligation of CMAQ apportionments is not monitored by Air Basin, therefore, over-obligation in the SCAB compensates for under-obligation in the MDAB
- C - Project Complete/Cancelled
- RFA1 - PSE Request for Authorization, RFA2 - ROW Request for Authorization, RFA3 - CONST Request for Authorization

**TABLE 2**  
**Congestion Mitigation and Air Quality Program Status**  
**South Coast Air Basin**

**Quarterly Reporting Status**

Lead Agency	Project Description	Contract Number	Board Approval	Allocated Amount	Obligated Amount	2007 Quarterly Reports				Comments
						1	2	3	4	
Caltrans	I.E. Transportation Management Center & PNR - Fontana	200626	10/05/05	\$5,050,000	\$0	Apr-07	*	Oct-06	Jan-07	RFA3 to be submitted 12/07
Chino	Mountain Avenue Traffic Signal Coordination	02-022	08/01/01	\$251,000	\$251,000	C	C	C	C	Project obligated 3/05
Chino Hills	CNG Time-Fill Refueling Stations	02-036	08/01/01	\$88,400	\$89,000	C	C	C	C	Project obligated 8/05
Colton	All Fuel Park-n-Ride One-Stop Facility	00-097	02/02/00	\$0	\$0	C	C	C	C	Project cancelled by City
Colton	Colton San Bernardino Pedestrian/Bikeway	02-027	08/01/01	\$432,704	\$432,704	C	C	C	C	Project obligated 3/07
Colton	Washington St at Redhe Cyn & Hunts Ln Mitigation	00-102	02/02/00	\$400,000	\$60,000	Apr-07	Jul-06	Oct-06	Jan-07	RFA3 to be submitted 10/07
Fontana	Sierra Ave/Mulberry Ave ATMS Ph 1 - Communications	02-038	08/01/01	\$2,590,000	\$2,590,000	C	C	C	C	Project obligated 10/03
Highland	5th Street Signal Interconnect	02-032	08/01/01	\$209,000	\$209,000	C	C	C	C	Project obligated 8/05
Highland	Base Line Road Signal Interconnect	02-021	08/01/01	\$96,000	\$96,000	C	C	C	C	Project obligated 2/04
Highland	Palm Avenue Signal Interconnect	02-029	08/01/01	\$57,000	\$57,000	C	C	C	C	Project obligated 2/03
Loma Linda	Anderson St/Tippence Ave Signal Interconnect	00-092	02/02/00	\$105,740	\$105,000	C	C	C	C	Project obligated 8/05
MARTA	Big Bear Visitors Trolley	02-039	08/01/01	\$274,442	\$274,442	C	C	C	C	Project obligated 5/03
MARTA	Replacement Paratransit Vehicle Purchase	200423	08/08/03	\$1,060,000	\$677,763	Apr-07	Jul-06	Oct-06	Jan-06	Funds programmed in future years
MARTA	Replacement Buses - All Fuel	200424	08/08/03	\$1,265,000	\$272,672	Apr-07	Jul-06	Oct-06	Jan-06	Funds programmed in future years
MARTA	Bus System - Operating Assistance	SBD41055	08/08/03	\$80,000	\$0	C	C	C	C	Project obligated 9/08
Montclair	North Montclair Signal Interconnect	02-033	08/01/01	\$309,700	\$309,700	C	C	C	C	Project obligated 6/03
Montclair	Ramona Av Grade Separation	00-096	02/02/00	\$1,590,481	\$0	Apr-07	Jul-06	Oct-06	Jan-07	RFA3 to be submitted 7/07
Omnitrans	Replacement Paratransit Vehicles for Access Fleet	20040211	08/08/03	\$3,325,000	\$0	Apr-07	Jul-06	Oct-06	Jan-07	Funds programmed in future years
Omnitrans	Bus Replacement - All Fuel	SBD90105	08/08/03	\$5,795,000	\$0	Apr-07	Jul-06	Oct-06	Jan-07	Funds programmed in future years
Rancho Cucamonga	Base Line Road Signal Synchronization	02-020	08/01/01	\$100,000	\$100,000	C	C	C	C	Project obligated 5/03
San Bernardino	Washington Street at Waterman Avenue Traffic Signal	02-024	08/01/01	\$911,859	\$911,799	C	C	C	C	Project obligated 7/06
San Bernardino	Metrolink Parking Structure	20020802	08/08/03	\$7,139,000	\$531,000	Apr-07	Jul-06	Oct-06	Jan-07	Funds programmed in future years
SB County	Crestline Commuter Park and Ride Lot	02-028	08/01/01	\$354,119	\$355,000	C	C	C	C	Project obligated 7/05
SB County	San Bernardino Avenue Traffic Signal/Synchronization	02-023	08/01/01	\$2,545,237	\$2,545,237	C	C	C	C	Project obligated 7/05
SB County	Wabash Av @ SH-38 - Install Traffic Signals	00-089	02/02/00	\$173,260	\$173,772	C	C	C	C	Project obligated 8/05
Upland	Upland Metrolink Station - Parking Expansion	20040825	08/08/03	\$2,776,800	\$0	Apr-07	Jul-06	Oct-06	Jan-07	Funds programmed in future years
Upland	SP/PE Right-of-Way Bicycle/Pedestrian Trail - Phase II	02-031	08/01/01	\$1,555,053	\$1,555,053	C	C	C	C	Project obligated 5/04
<b>TOTALS</b>				<b>\$38,640,785</b>	<b>\$11,642,142</b>					

Obligation Status (as of June 30, 2007)

Fiscal Year 06/07:	Fiscal Year 07/08:
Apportionment Subject to Reprogramming \$35,500,821	Apportionment Subject to Reprogramming \$12,314,359
Obligated Amount to Date* \$40,911,897	Obligated Amount for FY07/08 \$0
Additional Obligation Scheduled by 11/07 \$1,590,481	Additional Obligation Scheduled by 11/08 \$22,938,281
Expected Amount Subject to Reprogramming 11/07** \$-7,001,557	Expected Amount Subject to Reprogramming 11/08** \$-10,623,922
	(Includes amount over-obligated in FY 06/07)

**NOTES:**

- \* - Includes projects with closed contracts and projects funded through Board set-asides
- \*\* The obligation of CMAQ apportionments is not monitored by Air Basin, therefore, over-obligation in the SCAB compensates for under-obligation in the MDAB
- C - Project Complete/Cancelled
- RFA1 - PSE Request for Authorization, RFA2 - ROW Request for Authorization, RFA3 - CONST Request for Authorization

**TABLE 3**  
**Regional Surface Transportation Program Status**

**Quarterly Reporting Status**

Lead Agency	Project Description	Contract Number	Board Approval	Allocated Amount	Obligated Amount	2007 Quarterly Reports				Comments
						1	2	3	4	
Adelanto	El Mirage Rehab & Paving - West City Limits to US395	01-036	10/04/00	\$1,375,468	\$0	Apr-07	Jul-06	Oct-06	Jan-07	RFA3 to be submitted 6/08
Apple Valley	Yucca Loma Bridge over Mojave River	200049	12/07/05	\$2,800,000	\$0	*	*			RFA1 submitted 11/06
Barstow	Lenwood Rd Rehab - Commerce Pkwy to 3/4mi West	01-040	10/04/00	\$423,000	\$423,000	C	C	C	C	Obligated 8/16/05
Barstow	East Main St Rehab - Barstow Rd to Muriel Dr	01-039	10/04/00	\$750,828	\$750,828	C	C	C	C	Obligated 8/17/05
Big Bear Lake	Signal at SR18/Big Bear Blvd/Paine Rd/Village Dr	01-035	10/04/00	\$495,280	\$495,280	C	C	C	C	Obligated 8/10/06
Colton	Main St & Iowa Ave Intersection	01-077	02/07/01	\$250,000	\$19,476	Apr-07	Jul-06	Oct-06	Jan-07	RFA2 to be submitted 6/07
Fontana	Sierra Av-Baseline to Highland Av-Widen 4-6 Lanes	01-076	02/07/01	\$0	\$0	C	C	C	C	Project cancelled 12/3/03
Fontana	Foothill Bl - East Av to Hemlock - Widen 4-6 Lanes	01-079/080	02/07/01	\$0	\$0	C	C	C	C	Project cancelled 12/3/03
Fontana	Jurupa/Mulberry Intersection Improvements	01-081	02/07/01	\$0	\$0	C	C	C	C	Project cancelled 9/03
Fontana	Baseline-Citrus to Maple - Widen 2-6 Lanes	01-076	02/07/01	\$0	\$0	C	C	C	C	Project cancelled 12/3/03
Hesperia	Ranchero Rd Grade Separation	SBD031276	12/07/05	\$3,650,000	\$0	Apr-07	Jul-06	Oct-06	Jan-07	RFA3 to be submitted 7/08
Highland	5th St - Boulder to SR30 - Widen 2-4 Lanes	01-075	02/07/01	\$870,600	\$870,600	C	C	C	C	Project obligated 8/25/06
Rialto	Pepper Av-Foothill to Highland-Widen and Extend to 6 Lanes	01-078	02/07/01	\$0	\$0	C	C	C	C	Board reallocated funds to other projects 12/03
San Bernardino	State St-16th St to Foothill-Extend 2 lanes	01-082	02/07/01	\$2,005,000	\$80,000	Apr-07	Jul-06	Oct-06	Jan-07	RFA2 to be submitted 7/07
SB County	Needles Hwy-N St to Nevada State Line-Realign/Rehab	01-033	10/04/00	\$2,478,840	\$1,043,975	Apr-07	Jul-06	Oct-06	Jan-07	RFA2 to be submitted 10/08
SB County	National Trails Hwy - Passing Lanes	01-038	10/04/00	\$1,907,284	\$310,000	Apr-07	Jul-06	Oct-06	Jan-07	RFA2 to be submitted 6/08
SB County	Cedar Av Widening PSE - Slower Av to Valley Bl	01-037	02/07/01	\$0	\$0	C	C	C	C	Project cancelled 3/25/05
Twentynine Palms	Two Mile Road Rehab - Sunrise to Lear	01-037	10/04/00	\$0	\$0	C	C	C	C	Project cancelled 9/9/04
Victorville	I-15 La Mesa/Nisqually Interchange	SBD341170	12/07/05	\$3,800,000	\$0	Apr-07	*	Oct-06	Jan-07	RFA1 to be submitted 2/07
Victorville	I-15/Mojave Dr I/C	33390	12/04/02	\$1,000,000	\$0	Apr-07	Jul-06	Oct-06	Jan-07	RFA3 to be submitted 1/07
Victorville	Bear Valley Rd Rehab - I-15 to Kiowa Rd	01-041	10/04/00	\$5,999,071	\$5,999,000	C	C	C	C	Obligated 08/23/05
	<b>TOTALS</b>			<b>\$27,805,368</b>	<b>\$9,992,159</b>					

**Obligation Status (as of June 30, 2007)**

Fiscal Year 06/07:		Fiscal Year 07/08:	
Apportionment Subject to Reprogramming	\$33,096,642	Apportionment Subject to Reprogramming	\$-14,953,884
Obligated Amount to Date*	\$65,703,124	Obligated Amount for FY07/08	\$0
Additional Obligation Scheduled by 11/07	\$0	Additional Obligation Scheduled by 11/08	\$8,516,921
Expected Amount Subject to Reprogramming 11/07	\$-32,606,482	Expected Amount Subject to Reprogramming 11/08	\$-23,470,805
		(Includes amount of over-obligated in FY 06/07)	

**NOTES:**

- \* - Includes projects with closed contracts and projects funded through Board set-asides
- C - TEA-21 Funded Project Complete/Cancelled
- RFA1 - PSE Request for Authorization, RFA2 - ROW Request for Authorization, RFA3 - CONST Request for Authorization

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

## *Minute Action*

AGENDA ITEM: 8

**Date:** September 19, 2007

**Subject:** Public Transit-Human Services Transportation Coordination Plan for San Bernardino County

**Recommendation:**\* Receive Information and Provide Direction

**Background:** On November 1, 2006 the Board approved a contract with Transit Resource Center to prepare a Public Transit-Human Services Transportation Coordination Plan for San Bernardino County. The locally developed coordination plan is a requirement under SAFETEA-LU to identify projects that may be eligible for funding from the Federal Transit Administration (FTA) under Sections 5310 (Elderly Individuals and Individuals with Disabilities), 5316 (Job Access and Reverse Commute) and 5317 (New Freedom Initiative).

The FTA Section 5310 funds are apportioned to the State of California and may be used for the acquisition of capital projects that involve the transportation of elderly individuals and individuals with disabilities. Over the four-year period (Fiscal Years 2005/2006 through 2008/2009) more than \$51 million in Section 5310 funds will be apportioned to the State.

The FTA Section 5316 funds are apportioned to three large urbanized areas in San Bernardino County; Los Angeles/Long Beach/Santa Ana, Riverside/San Bernardino, and Victorville/Hesperia/Apple Valley and to the State of California

\*

*Approved*  
*Plans and Programs Committee*

*Date:* \_\_\_\_\_

*Moved:*

*Second:*

*In Favor:*

*Opposed:*

*Abstained:*

*Witnessed:* \_\_\_\_\_

for the small urbanized and rural areas. These funds may be used for capital and/or operating projects for transportation serving welfare recipients and low income families for employment supportive activities. Approximately \$3.7 million in Section 5316 will be apportioned to the San Bernardino Valley over the four-year period and \$570,000 will be apportioned to the Victor Valley. Just over \$6 million will be apportioned to the State for rural areas over the four-year period.

The FTA Section 5317 funds are also apportioned to the three large urbanized areas and to the State of California for the small urbanized and rural areas. These funds may be used for capital and/or operating projects that provide transportation service beyond that required by the Americans with Disabilities Act (ADA). Just under \$1.5 million will be apportioned to the San Bernardino Valley over the four-year period and less than \$240,000 will be apportioned to the Victor Valley. More than \$3.0 million will be allocated to the State for rural areas over the four-year period.

All three funding sources may be used for mobility management activities including but not limited to: the promotion, enhancement, and facilitation of access to transportation services; support for short-term management activities to plan and implement coordinated services; support local coordination policy bodies and councils; provision of coordination services including employer-oriented Transportation Management Organizations' and Human Service Organizations' customer-oriented travel navigator systems and neighborhood travel coordination activities such as coordinating individualized travel training and trip planning activities; the development and operation of one-stop transportation call centers to coordinate transportation information and to manage eligibility requirements and arrangements among supporting programs; and operational planning for the acquisition of intelligent transportation technologies to help plan and operate coordinated transportation systems.

The coordination plan for San Bernardino County is being prepared in a manner that takes into consideration how the above three funding sources are apportioned and applied for and uses the six subareas established under the Measure I program. The consultant has completed most of the extensive outreach efforts contained in the plan scope of work. This has included meetings in each subarea with representatives from the public transit and social service agencies as well as consumers. The coordination plan will ultimately recommend actions and/or projects that will address the gaps in services in a cooperative and coordinated

manner. Specific projects will then be offered for proposals from the private sector, non-profit agencies and public transit operators.

The attached provides a summary of the action planning workshops that were completed in August. The format for the workshops included the identification of service gaps or needs and an open discussion of possible strategies to address those gaps or needs. This summary is being presented to the Plans and Programs Committee in order to receive early policy level input before finalizing recommended projects or actions in the report.

***Financial Impact:*** This item is consistent with the adopted budget. Funding for this work is provided under Task 31908000 – Social Service Transportation Plan.

***Reviewed By:*** This item will be reviewed by the Plans and Programs Committee on September 19, 2007.

***Responsible Staff:*** Michael Bair, Director of Transit and Rail Programs

## ACTION PLANNING WORKSHOPS

### AUGUST 2007

Strategies recommended for inclusion in the Coordination Plan by participants in each of the action planning workshops.

### **MORONGO BASIN**

August 13, 2007

#### **Workshop 1: Subscription Trips for Social Service Clients**

Hi-Desert Industries has two sets of clients who need to get to shelter workshop facilities in Joshua Tree and Yucca Valley from throughout the Morongo Basin. Clients must arrive by 8:30 and 9:00 a.m. They are unable to walk to bus stops and Ready Rides is booked up (can not guarantee delivery time).

MBTA has a higher cost structure. Would take 5 ½ hours of service, 2 vehicles to provide service. Estimated cost \$85,800 per year.

IRC funds Hi-Desert Industries to provide transportation. The representative from Hi-Desert Industries wasn't sure about total amount. The MBTA representative thought it was half of their cost. Issue of IRC being willing to pay MBTA full cost to provide service.

**Strategy:** Use deviated fixed routes to serve clients who are higher function.

- Deviated fixed route could pick up clients at curb in Landers and take them to the workshop. This could be arranged as a regular ride (they wouldn't need to call every day for a deviation).
- Yucca Valley – 3 to 5 people might be able to use fixed route; possibly a few in Joshua Tree. Bus would get them there at 8:05 a.m. Deviate to pick up and drop off at curb. Hi Desert staff is there by 8 a.m.

**Strategy:** Seek future coordination opportunities among MBTA, Inland Regional Center and Hi Desert to provide a limited number of subscription trips on Ready Ride services.

#### **Workshop 2: CMCC Students – Evening Transportation**

Reach Out Morongo Basin provides medical transportation for seniors locally, and one day a week out of the area. They will take non-seniors when space is available (usually). They use an older vehicle and could use help with maintenance. They have just been given a wheelchair accessible van.

**Strategy:** Expand transportation services provided by Reach Out Morongo Basin using funding from IRC, FTA 5310, 5316 and 5317.

- Provide early morning trips for college students from home to Stater Brothers where they could catch MBTA fixed route (5-7 a.m.).
- Transport Hi –Desert Clients to programs in Joshua Tree and Yucca Valley (7-9:30 a.m.)

- Return Trips for Hi-Desert Clients (3 p.m.).
- Evening Service from CMCC to return students home.

Other possible funding partners: School District, college, Calworks, Dept. of Rehab., Morongo Basin Mental Health

**Strategy:** Use FTA 5310 or 5317 to get funds for a Mobility Manager to facilitate this expansion.

School district buys bus passes for high school drop-outs who are taking classes at college to get their high school diploma.

**Strategy:** Use 5316 funds to double the number of passes they could buy.

## SAN BERNARDINO VALLEY

August 14, 2007

### Workshop 1: Senior Transportation

Cities of Fontana, Rancho Cucamonga and Redlands currently operated senior transportation services. Montclair has a general public dial-a-ride used mostly by seniors. They would like assistance with how to handle cross jurisdictional trips, operations funding and information distribution.

**Strategy:** Information Clearinghouse for senior transportation using 211 services.

**Strategy:** CTSA to provide support, not rules or governance. They liked the hybrid concept - a non-profit agency but with representatives from the various jurisdictions and from Omnitrans. Possible functions of the CTSA:

- Coordinated Dispatching
- Joint procurement
- Collective pool of backup vehicle
- Provision of cross-jurisdictional trips
- Sustainable funding plans

Potential funding sources: FTA 5310, CBDGs, Dept. of Aging, Medical Facilities (fund regional medical trips).

**Strategy:** Pass down of retired Omnitrans Access vehicles to non-profits or cities providing senior transportation.

### Workshop 2: Mobility Training

Need a mobility training program that is sustainable/on-going and that addresses attitude (drivers), physical access to buses and communications (between users and Omnitrans). Mobility training could enhance usage for some groups, but not for all.

Dept. of Rehab has funding for job-coaching which includes mobility training; contract with vendors of which there are few. Dept. of Aging does not have funding for this.

**Strategy:** Create a DVD training program that could be broadly distributed for use by various populations. Build upon currently available DVD resources. (However, those with disabilities are likely to need customized training with a mobility trainer).

**Strategy:** Conduct team trainings to train both users and drivers.

- Rolling Start can provide sensitivity/travel training, but needs funds to do so. They have a staff of eight. Don't have local match \$, but can provide in-kind services.

**Strategy:** Youth/Senior Travel Training Partnership. Use young adults who are "street-smart" to travel train others as part of their work experience.

**Strategy:** Educate drivers about how to communicate with persons with disabilities. For example, have cards to give hearing impaired persons with fare info, have a checklist for common questions.

**Strategy:** Provide free rides on fixed route for Access certified riders. Assure them that using fixed route for some trips will not jeopardize their Access certification.

Seniors don't use the bus for a variety of reasons – fear, frailty, difficulty being out in the heat. They are more comfortable with local senior services.

**Strategy:** Support local senior oriented transportation services to keep seniors off of Access. Find funding so that these services can be expanded to include weekends/Sundays.

### Workshop 3: General

This large group discussed a wide variety of transportation needs and issues. The following potential strategies evolved from the discussion.

**Strategy:** Transportation Information and Referral. Use 211 system both to disseminate information and to collect requests for service. Create a chart showing who provides transportation where and distribute widely.

**Strategy:** CTSA to broker transportation for non-emergency medical trips, cross-jurisdictional senior trips, immediate needs, low income work trips, and disabled individual trips not provided by Access. Provide support services for new transportation providers.

- Liability Insurance
- Liability protection for volunteer drivers
- Maintenance
- Vehicle procurement
- After hours service

**Strategy:** Create better transit connections among the cities in the San Bernardino Valley. Specifically, direct service between San Bernardino and Ontario to facilitate employment (JARC) and medical trips.

- Subsidize Metrolink
- Express bus service

- Vanpool program

**Strategy:** Better market available transportation services to overcome stigma.

**Strategy:** Create a shared ride posting system that would:

- Allow trips on existing programs to be bundled
- Facilitate sharing of rides with volunteer drivers

**Strategy:** Vanpools – low cost leasing and maintenance support to create vanpools among low income workers.

The need for service from Victor Valley, Barstow, Needles, Morongo Basin and the Mountains into San Bernardino was considered a critical need.

**Strategy:** Vista volunteered that they will soon be providing service from Barstow using FTA 5310 vehicles and will be open to transporting other riders on a scheduled basis.

**Strategy:** Connection between Omnitrans and Riverside Transit.

## VICTOR VALLEY

August 15, 2007

### Workshop 1: Down the Hill

Down the hill service is important for a variety of types of trips – medical, social service, and employment.

**Strategy:** VVTA will be subsidizing Greyhound tickets soon (60-120 days). Subsidy level likely 50%. Need local bus service to/from Greyhound Station. Social service providers don't trust Direct Access to make the connection. Need to distribute PDF poster about subsidy program to all agencies.

**Strategy:** Victor Valley Community Services could become a focal point for a variety of transportation services beyond what VVTA can provide. Specific suggestions included.

- Mobility Manager to oversee
- Volunteer Driver Service for in town and out of town medical trips
- Get retired vehicle from VVTA (VVTA has two minivans that he is surplussing)
- User side subsidy for private van when most efficient
- Coordination of medical trip schedules

Jump start effort with FTA 5310 and CDBG funding. Create an advisory board to initiate effort.

**Strategy:** Work through unmet needs process to reinstate down the hill transit route. Key destinations would include:

- Arrowhead Regional Medical Center
- Loma Linda
- VA Hospital
- Kaiser
- University
- Downtown SB (Government Offices)

- Connections with Omnitrans

## Workshop 2: Mobility Training

VVTA has a how to ride video on their website. They also have a bus buddy program, but haven't had much participation. VVTA also has a trainer ID card program which allows travel trainers to ride free while doing training.

**Strategy:** Develop Trainer Certification program that would meet everyone's needs then conduct Train the Trainer program. Participants: DOR, DOA, IRC, VVTA, County One-Stop Center, Workforce Investment. Who to take lead? Possibly ROP or Rolling Start?

**Strategy:** Put list of mobility trainers on internet.

## Workshop 3: General

A wide variety of transportation needs and strategies were discussed by a diverse group of participants. Key needs which were discussed included:

- Down the hill transportation
- Dial-a-Ride service for those not access certified
- Better service to county and social service agencies.
- Improved path of travel and accessibility of bus stops.
- Inability of very low income to afford fares.
- How to get home from hospital when released in middle of night.
- Lack of drivers in agencies that have vehicles.

**Strategy:** Centralized dispatching for agency vehicles to coordinate resources.

**Strategy:** Volunteer driver program.

- Mileage reimbursement
- Utilize church volunteers
- Liability insurance

**Strategy:** Service from Barstow to Loma Linda and VA. Possibly as part of a larger down the hill medical transportation route.

**Strategy:** Provide transit tickets for homeless and reduced fares for low income individuals for immediate transportation needs.

**Strategy:** Participate in unmet needs process to encourage increased bus network and frequency of service.

**Strategy:** Have a feeder service, run by a non-profit, to get people from unserved areas to the bus stop.

**Strategy:** Sensitivity training for VVTA drivers (Rolling Start).

**Strategy:** Improve communications. Hi-Desert Resource Network can do e-blast to agencies. Use 211 system.

## **MOUNTAINS AREA**

August 16, 2007

### **Workshop 1: Off the Mountain**

The group agreed that the routing and schedule proposed in the MARTA Comprehensive Operations Analysis would greatly enhance the off the mountain service.

**Strategy:** Implement the recommendations with bus stops at these locations:

- St. Bernardines
- DMV
- Courthouse (downtown San Bernardino)
- Carousel Mall (downtown San Bernardino)
- Gilbert & Waterman (Counseling Center)
- Wal-Mart (transfer to Beaver Clinic)
- 40<sup>th</sup> and Waterman (transfer to Omnitrans)
- San Bernardino Valley Community College/University – stops or transfers

**Strategy:** Create a resource guide that would show Mountains' riders how to get to key locations in San Bernardino Valley using the Off the Mountain service in conjunction with Omnitrans. Also enhance MARTA website to include this information.

### **Workshop 2: General**

This larger group revisited the Off the Mountain service and agreed with previously noted strategies.

Additional strategies discussed included the following:

**Strategy:** Participate in unmet needs process to ask for later evening service (til 8 p.m.) including Running Springs.

**Strategy:** Secure 5310 accessible mini-van for use by Rebuilding Mountain Hearts and Lives in conjunction with RIM Family Services and other non-profits in the Mountains to fill "hard to serve" transportation needs.

**Strategy:** Improved service between Crestline and Big Bear Lake. Planned MARTA schedule change and addition of another OTM trip will address this. Need shelter or better transfer point for connection between the two routes.

**Strategy:** Provide free bus passes for low income individuals.

**Strategy:** Add MARTA bus stop at RIM Family Services' office. They will even adjust program times to accommodate bus schedule.

**Strategy:** Place bus stop signs at all MARTA stops on the mountain and off.

## HIGH DESERT-BARSTOW AREA

August 22, 2007

### Workshop 1: Down the Hill Intercity Service

The importance of this topic was evidenced by the large and varied group that participated. People need to travel from the outlying communities of Needles, Barstow (and other smaller communities) to Victorville and San Bernardino for a variety of medical, counseling and social service purposes. Key destinations include Loma Linda, Arrowhead and Veterans Hospitals and government offices in San Bernardino.

**Strategy:** Provide discounted Greyhound tickets for trips from Barstow to Victorville and San Bernardino. The city of Barstow already does this however it is a "well kept secret" and has been little used. The availability of these tickets needs to be more broadly communicated...both to social service providers and potential users. Omnitrans tickets need to be provided along with the Greyhound ticket.

This type of service is an option for some segments (homeless, veterans) who make infrequent trips. However, it is not useful for seniors for those with disabilities for whom getting from the Greyhound station to their ultimate destination would be overly difficult.

**Strategy:** Vista Guidance Center will soon have five FTA 5310 vans which will be used to bring passengers from outlying communities to services in Victorville and San Bernardino. They are looking to coordinate with other agencies for utilization and operations funding. Potential strategies include:

- Collective funding of operations by multiple agencies
- Purchase of "seats" by other agencies with clients who can use the services
- Use of Veterans Volunteer Drivers
- Application for a mobility manager position to coordinate utilization of the vans by various agencies
- Vista needs technical support to plan operations.

**Strategy:** FTA 5311(f) funded route which would serve the corridor from Needles to San Bernardino via Barstow and Victor Valley.

- Service to Needles only needed one day a week. (Possibly on other day have bus pickup along I-15 to serve the small communities along that corridor – including Baker – on a demand basis).
- Need to insure local service connections to intercity route.
- Wheelchair accessible.
- Possibly break the route into segments to make it easier to operate.

**Strategy:** Participate in unmet needs process to advocate for regular bus service between Barstow and Victorville. (Participants will collectively draft a letter including needs data from all agencies).

**Strategy:** Have a mobility manager or broker identify the best transportation option for a given trip (Greyhound, Vista or other agency van, intercity bus, etc.) and schedule the trip. The broker would also be an information clearinghouse.

**Strategy:** Change county rules regarding insurance to allow coordinated uses of agency vehicles. Currently "insurance" limits who agencies can or can't transport.

**Strategy:** Coordinate with medical providers to insure that clients can get appointments on days there is transportation.

## COLORADO RIVER-NEEDLES AREA

August 23, 2007

### Workshop 1: Medical Transportation

Residents of Needles need medical transportation both east into Arizona and west into the larger communities of San Bernardino County:

- Arizona destinations include hospitals and medical offices in Ft. Mojave (12 miles) and Bullhead City (30 miles). There are additional medical facilities in Laughlin and Lake Havasu – including a new VA clinic.
- San Bernardino destinations include Arrowhead Medical Center, Loma Linda Hospital and Veterans Hospital.

The San Bernardino destinations will be addressed by the strategies discussed at the Barstow workshop. This workshop addressed strategies for getting people to the Arizona facilities.

**Strategy:** Utilize senior center van and additional funding to provide service two days a week to Ft. Mojave and Bullhead City. Van would make a round trip in the morning (before providing midday service in Needles) and a second round trip after the senior lunch program. The van does not require an interstate license. Advance reservation would be required and the fare would be approximately \$5-10 per roundtrip. This could be implemented fairly quickly and would be a good short term solution while the local hospital issues are worked out.

- SANBAG and City representatives will meet in September to move forward.
- Colorado River Medical Center can assemble hospital management to discuss potential supplemental funding.
- Department of Aging has "one time" money which can be used to purchase tickets for needy seniors.

**Strategy:** Longer term, if demand develops beyond what the 8 passenger van can accommodate, Silver Rider could provide multipurpose trips (medical, shopping, work) connecting Needles, Arizona and Laughlin. They have larger vehicles and an interstate license. Funding this would require bundling of various resources. One potential source might be the Veterans Administration.

### Workshop 2: Jobs Transportation

Demand for jobs transportation between Needles and Laughlin, while acute, is very fragmented. Casinos operate a wide variety shifts, on a 24 hour basis and the number of residents needing

such transportation is relatively small. Because there has been no way to access these jobs in the past, it is unclear how many Needles residents would be able to work in Laughlin.

**Strategy:** Possible short term strategy would be to expand the TREP program to provide mileage reimbursement for residents who provide regular rides to workers without vehicles. The TAD program provides \$.26 per mile to people in their program. TREP might match that amount increasing the incentive for workers to transport other workers.

**Strategy:** Longer term, if a Silver Rider route is developed to connect Needles and Laughlin, it would serve some work trips, as well as other trip purposes.

**Strategy:** The idea was raised of a vanpool program that would allow a single vehicle to be used by workers on multiple shifts to go back and forth. However, this would require a very high level of coordination.

## SANBAG Acronym List

1 of 2

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CAC	Call Answering Center
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CALTRANS	California Department of Transportation
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CHP	California Highway Patrol
CMAQ	Congestion Mitigation and Air Quality
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CSAC	California State Association of Counties
CTA	California Transit Association
CTAA	Community Transportation Association of America
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DMO	Data Management Office
DOT	Department of Transportation
E&H	Elderly and Handicapped
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EPA	United States Environmental Protection Agency
ETC	Employee Transportation Coordinator
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICMA	International City/County Management Association
ICTC	Interstate Clean Transportation Corridor
IEEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds
MAGLEV	Magnetic Levitation
MARTA	Mountain Area Regional Transportation Authority
MBTA	Morongo Basin Transit Authority
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MIS	Major Investment Study
MOU	Memorandum of Understanding

## SANBAG Acronym List

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MPO	Metropolitan Planning Organization
MSRC	Mobile Source Air Pollution Reduction Review Committee
MTP	Metropolitan Transportation Plan
NAT	Needles Area Transit
OA	Obligation Authority
OCTA	Orange County Transportation Authority
OWP	Overall Work Program
PA&ED	Project Approval and Environmental Document
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PDT	Project Development Team
PPM	Planning, Programming and Monitoring Funds
PSR	Project Study Report
PTA	Public Transportation Account
PVEA	Petroleum Violation Escrow Account
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RFP	Request for Proposal
RIP	Regional Improvement Program
ROD	Record of Decision
RTAC	Regional Transportation Agencies' Coalition
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SB	Senate Bill
SAFE	Service Authority for Freeway Emergencies
SANBAG	San Bernardino Associated Governments
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCRRA	Southern California Regional Rail Authority
SED	Socioeconomic Data
SHA	State Highway Account
SHOPP	State Highway Operations and Protection Program
SOV	Single-Occupant Vehicle
SRTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 <sup>st</sup> Century
TIA	Traffic Impact Analysis
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TOC	Traffic Operations Center
TOPRS	Transit Operator Performance Reporting System
TSM	Transportation Systems Management
USFWS	United States Fish and Wildlife Service
UZAs	Urbanized Areas
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments

## ***San Bernardino Associated Governments***



### **MISSION STATEMENT**

To enhance the quality of life for all residents, San Bernardino Associated Governments (SANBAG) will:

- Improve cooperative regional planning
- Develop an accessible, efficient, multi-modal transportation system
- Strengthen economic development efforts
- Exert leadership in creative problem solving

To successfully accomplish this mission, SANBAG will foster enhanced relationships among all of its stakeholders while adding to the value of local governments.

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